

No. 22-15961

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

DONALD J. TRUMP, et al.,
Plaintiffs-Appellants,
v.

TWITTER, INC. AND JACK DORSEY,
Defendants-Appellees.

On Appeal from the United States District Court
for the Northern District of California, No. 3:21-cv-08378-JD (Donato, J.)

**DEFENDANTS-APPELLEES' UNOPPOSED
MOTION FOR JUDICIAL NOTICE**

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March 15, 2023

Pursuant to Federal Rule of Evidence 201, Federal Rule of Appellate Procedure 27, and Ninth Circuit Rule 27-1, Defendants Twitter, Inc. and Jack Dorsey respectfully move the Court to take judicial notice of (1) the transcript of the congressional hearing Disinformation Nation: Social Media’s Role in Promoting Extremism and Misinformation: Hearing before H. Comm. On Energy and Com., 117th Cong. (Mar. 25, 2021) attached to this Motion for Judicial Notice as Exhibit A (herein, “Hearing Transcript); and (2) certain of Twitter’s content moderation Rules and announcements included in the Supplemental Excerpts of Record, SER31-56, SER74-79. Plaintiffs do not oppose this motion.

As Defendants’ answering brief explains, Twitter suspended, labeled, or restricted Plaintiffs’ Twitter accounts for violating its platform rules (“Rules”). 3-ER-354-362 (¶¶113, 124, 129, 137, 146, 155, 167). Plaintiffs acknowledge that these Rules exist, and that they agreed to abide by them as a condition of using the platform. 3-ER-332-333. Nevertheless, Plaintiffs filed this putative nationwide class-action claiming, among other things, that a private company like Twitter should be liable under the First Amendment for exercising its own editorial judgment to remove certain content from its platform. 3-ER-362-363. Twitter filed a motion to dismiss, which the district court granted. 1-ER-2. Plaintiffs appeal that decision.

As a private actor, Twitter can be held to constitutional scrutiny only if found to be a state actor, a purposefully demanding test intended to “protect a robust sphere

of individual liberty.” *Manhattan Cmty. Access Corp. v. Halleck*, 139 S.Ct. 1921, 1928 (2019). To overcome this formidable threshold hurdle, Plaintiffs introduced numerous statements made by individual legislators urging Twitter to address purported misinformation on its platform, claiming that these statements coerced Twitter into suspending their accounts. These materials included excerpted statements from the Disinformation Nation hearing, which Plaintiffs referenced in their Amended Complaint and quoted at length in a motion for judicial notice they filed in support of their opposition to Defendants’ motion to dismiss, 2-ER-116, and a second motion for judicial notice they filed in support of their opening brief on appeal, Appellees’ Motion for Judicial Notice, Dkt. 34-1.

In front of the district court, Defendants filed a declaration and exhibits to support their motion to dismiss. These exhibits included Twitter’s Rules—specifically, its Civic Integrity Policy, Glorification of Violence Policy, and its COVID-19 Policy—and Twitter’s public announcements regarding its suspension of Donald J. Trump. SER31-56, SER74-79. Twitter argued that these rules and public announcements were incorporated by reference into the Amended Complaint. SER10.

The Court may consider the Hearing Transcript and Twitter’s Rules and public announcements regarding Mr. Trump’s suspension for two independently sufficient reasons: first, the Court may take judicial notice of these materials because

they are matters of public record not subject to reasonable dispute, and, second, these materials were incorporated by reference into the Amended Complaint.

I. THIS COURT SHOULD TAKE JUDICIAL NOTICE OF THE CONGRESSIONAL HEARING TRANSCRIPT

This Court may properly consider the Hearing Transcript by taking judicial notice of it or because it is incorporated by reference into the Amended Complaint.

First, this Court may take judicial notice of the hearing transcript. A court may take judicial notice of “matters of public record” without converting a motion to dismiss into a motion for summary judgment. *MGIC Indem. Corp. v. Weisman*, 803 F.2d 500, 504 (9th Cir.1986). As this Court recently held, “publicly available congressional records, including transcripts of congressional hearings” are proper subjects of judicial notice. *Rojas v. Fed. Aviation Admin.*, 927 F.3d 1046, 1051 (9th Cir. 2019), *on reh'g en banc*, 989 F.3d 666 (9th Cir. 2021).

And although “a court may not take judicial notice of a fact that is “subject to reasonable dispute,” here, there can be no reasonable dispute that the Disinformation Nation hearing occurred, and that congressmembers uttered the statements recorded in the Hearing Transcript. *See Lee v. City of Los Angeles*, 250 F.3d 668, 689-690 (9th Cir. 2001) (holding that district court had authority to consider a transcript from an extradition hearing to take judicial notice “of the fact of the extradition hearing”); *Von Saher v. Norton Simon Museum of Art at Pasadena*, 592 F.3d 954, 960 (9th Cir. 2010) (taking judicial notice of publications to indicate what was “in the public

realm at the time”). Defendants seek to introduce the hearing transcript for these purposes only—not to determine whether the contents of those statements are true. This Court may therefore take judicial notice of the Hearing Transcript.

Second, this Court may consider the Hearing Transcript because it is incorporated by reference into the Amended Complaint. The incorporation-by-reference doctrine permits courts “to take into account documents whose contents are alleged in a complaint” or documents on which “the plaintiff’s claim depends” even when they are “not physically attached to the plaintiff’s pleading.” *Kniesel v. ESPN*, 393 F.3d 1068, 1076 (9th Cir. 2005). “The doctrine prevents plaintiffs from selecting only portions of documents that support their claims, while omitting portions of those very documents that weaken—or doom—their claims.” *Khoja v. Orexigen Therapeutics, Inc.*, 899 F.3d 988, 1002 (9th Cir. 2018).

The Hearing Transcript is incorporated by reference into the Amended Complaint for two reasons: First, Plaintiffs’ First Amendment claim “depends” on the contents of the Hearing Transcript because Plaintiffs must plausibly allege that the statements uttered at the hearing coerced Twitter into suspending their accounts. 3-ER-337-338 (¶58). Second, Plaintiffs allege the contents of the Hearing Transcript in their Amended Complaint by selectively quoting statements made during the hearing in their motions for judicial notice, while leaving out statements that undermine their coercion theory. Fairness requires that this Court have the full

Hearing Transcript before it in determining whether Plaintiffs plausibly alleged coercion—not the selective statements that purportedly favor Plaintiffs’ theory. *See Knievel*, 393 F.3d at 1076 (incorporating by reference “the contents of the surrounding pages” to a picture and caption plaintiffs alleged to be defamatory when that context was necessary to determine whether the picture was defamatory).

II. THIS COURT SHOULD TAKE JUDICIAL NOTICE OF TWITTER’S RULES AND ANNOUNCEMENTS

This Court may also consider Twitter’s Civic Integrity Policy, SER37-41, Glorification of Violence Policy, SER31-36, COVID-19 Misleading Information Policy, SER42-54, Twitter’s Tweet thread announcing its removal certain of Plaintiff Donald J. Trump’s Tweets, SER75-76, and Twitter’s blogpost announcing its suspension of Mr. Trump from the platform, SER77-79.

First, the Court may take judicial notice of these materials. A court may take judicial notice of the fact that a moving party’s own website “makes certain representations ... to the public.” *Woodside Invs., Inc. v. Complete Bus. Sols. Grp., Inc.*, 2020 WL 869206, at *2 (E.D. Cal. Feb. 21, 2020). Here, Twitter’s Rules and its blogpost regarding the suspension of Trump are publicly available on its website. SER31-54 (excerpts from Twitter’s public website). The Court may thus take judicial notice of the fact that Twitter adopted a Civic Integrity Policy, Glorification of Violence Policy, and COVID-19 Misinformation Policy, as well as the fact that Twitter announced its suspension of Trump on its website. Neither of these facts are

subject to reasonable dispute; indeed, Plaintiffs concede that Twitter adopted these policies and issued the blogpost announcement regarding Trump's suspension in their Amended Complaint. 3-ER-332-333 (¶¶37-40); 3-ER-354-355.

Second, as explained in Twitter's answering brief, Br. 11, the Amended Complaint referenced and alleged the contents of the Terms of Service and Twitter's Rules, 3-ER-332-333 (¶¶37-40), as well as Twitter's public reasoning for suspending Mr. Trump's account, 3-ER-354-355. These materials are therefore incorporated by reference into the Amended Complaint and may therefore be considered in deciding whether the district court correctly dismissed Plaintiffs' claims under Rule 12(b)(6). *See Knievel*, 393 F.3d at 1076-77.

CONCLUSION

This Court should take judicial notice of aforementioned materials.

Respectfully submitted,

/s/ Ari Holtzblatt

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CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 32(g), the undersigned hereby certifies that this motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A).

1. Exclusive of the exempted portions of the motion, as provided in Fed. R. App. P. 27(d)(2) and 32(f), the brief contains 1,277 words.

2. The motion has been prepared in proportionally spaced typeface using Microsoft Word 2010 in 14 point Times New Roman font. As permitted by Fed. R. App. P. 32(g), the undersigned has relied upon the word count feature of this word processing system in preparing this certificate.

/s/ Ari Holtzblatt
ARI HOLTZBLATT

March 15, 2023

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of March, 2023, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit using the appellate CM/ECF system. Counsel for all parties to the case are registered CM/ECF users and will be served by the appellate CM/ECF system.

/s/ Ari Holtzblatt

ARI HOLTZBLATT

EXHIBIT A

1 Diversified Reporting Services, Inc.

2 RPTS CARR

3 HIF084160

4

5

6 DISINFORMATION NATION: SOCIAL MEDIA'S

7 ROLE IN PROMOTING EXTREMISM AND MISINFORMATION

8 Thursday, March 25, 2021

9 House of Representatives,

10 Subcommittee on Communications and Technology,

11 joint with

12 Subcommittee on Consumer Protection and Commerce,

13 Committee on Energy and Commerce,

14 Washington, D.C.

15

16

17

18 The subcommittees met, pursuant to notice, at 12:02

19 p.m., via Webex, Hon. Michael F. Doyle [chairman of the

20 Subcommittee on Communications and Technology] presiding.

21 Present from the Subcommittee on Communications and

22 Technology: Representatives Doyle, McNerney, Clarke, Veasey,

23 McEachin, Soto, O'Halleran, Rice, Eshoo, Butterfield, Matsui,

24 Welch, Cardenas, Kelly, Craig, Fletcher, Pallone (ex

25 officio); Latta, Scalise, Guthrie, Kinzinger, Johnson, Long,

26 Walberg, Carter, Duncan, Curtis, and Rodgers (ex officio).

27 Present from the Subcommittee on Consumer Protection and
28 Commerce: Representatives Schakowsky, Rush, Castor, Trahan,
29 McNerney, Clarke, Cardenas, Dingell, Kelly, Soto, Rice,
30 Craig, Fletcher, Pallone (ex officio); Upton, Latta, Guthrie,
31 Bucshon, Dunn, Lesko, Pence, Armstrong, and Rodgers (ex
32 officio).

33 Also Present: Representatives Blunt Rochester, Tonko,
34 Schrier; Crenshaw, Burgess, Griffith, Joyce, and McKinley.

35 Staff Present: A.J. Brown, Counsel; Jeff Carroll, Staff
36 Director; Parul Desai, FCC Detailee; Jennifer Epperson,
37 Counsel; Lisa Goldman, Senior Counsel; Waverly Gordon,
38 General Counsel; Daniel Greene, Professional Staff Member;
39 Tiffany Guarascio, Deputy Staff Director; Perry Hamilton,
40 Deputy Chief Clerk; Alex Hoehn-Saric, Chief Counsel,
41 Communications and Consumer Protection; Ed Kaczmariski, Policy
42 Analyst; Zach Kahan, Deputy Director of Outreach and Member
43 Service; Jerry Leverich, Senior Counsel; Dan Miller,
44 Professional Staff Member; David Miller, Counsel; Phil
45 Murphy, Policy Coordinator; Joe Orlando, Policy Analyst;
46 Kaitlyn Peel, Digital Director; Tim Robinson, Chief Counsel;
47 Chloe Rodriguez, Deputy Chief Clerk; Andrew Souvall, Director
48 of Communications Outreach and Member Services; Sydney Terry,
49 Policy Coordinator; Anna Yu, Professional Staff Member;
50 Michael Cameron, Minority Policy Analyst, CPC, Energy,

51 Environment; Nate Hudson, Minority Staff Director; Peter
52 Kielty, Minority General Counsel; Bijan Koohmaraie, Minority
53 Chief Counsel; Tim Kurth, Minority Chief Counsel, CPC; Kate
54 O'Connor, Minority Chief Counsel, C&T; and Michael Taggard,
55 Minority Policy Director.

56

57 *Mr. Doyle. The Subcommittee on Communications and
58 Technology and Subcommittee on Consumer Protection and
59 Commerce will now come to order. Today we will be holding a
60 joint hearing entitled, "Disinformation Nation: Social
61 Media's Role in Promoting Extremism and Misinformation."

62 Due to the COVID-19 public health emergency, today's
63 hearing is being held remotely. All members and witnesses
64 will be participating via videoconferencing. As part of our
65 hearing, microphones will be set on mute for the purpose of
66 eliminating inadvertent background noise.

67 Members and witnesses, you will need to unmute your
68 microphones each time you wish to speak. Additionally,
69 members will need to be visible on screen in order to be
70 recognized.

71 Due to the anticipated length of this hearing, the
72 committee will take a 15-minute recess around 3:00 o'clock to
73 provide witnesses and members a restroom break.

74 Finally, documents for the record can be sent to Ed
75 Kasmarski and Joe Orlando at the email addresses we have
76 provided to your staff. All documents will be entered into
77 the record at the conclusion of the hearing.

78 The chair will now recognize himself for five minutes.

79 Our nation is drowning in disinformation driven by
80 social media. Platforms that were once used to share photos
81 of kids with grandparents are all too often havens of hate,

82 harassment, and division. The way I see it, there were two
83 faces to each of your platforms.

84 Facebook has Family and Friends Neighborhood, but it is
85 right next to the one where there is a white nationalist
86 rally every day. YouTube is a place where people share
87 quirky videos, but down the street anti-vaxxers, COVID
88 deniers, QAnon supporters, and flat Earthers are sharing
89 videos. Twitter allows you to bring friends and celebrities
90 into your home, but also Holocaust deniers, terrorists, and
91 worse.

92 Now, it would be one thing if every user chose where to
93 go organically, but almost everything is scripted on social
94 media platforms. Facebook recognizes antisocial tendencies
95 in one user and invites them to visit the white nationalists.
96 YouTube sees another user is interested in COVID-19, and
97 auto-starts an anti-vax video. On Twitter, a user follows
98 the trending conversation never knowing it is driven by bots
99 and coordinated disinformation networks run by foreign
100 agents.

101 Your platforms have changed how people across the planet
102 communicate, connect, learn, and stay informed. The power of
103 this technology is awesome and terrifying, and each of you
104 has failed to protect your users and the world from the worst
105 consequence of your creations.

106 This is the first time the three of you have appeared

107 before Congress since the deadly attack on the Capitol on
108 January 6th. That event was not just an attack on our
109 democracy and our electoral process, but an attack on every
110 member of this committee and in the Congress.

111 Many of us were on the House floor and in the Capitol
112 when that attack occurred, and we were forced to stop our
113 work of certifying the election and retreat to safety, some
114 of us wearing gas masks and fearing for our lives. We fled
115 as a mob desecrated the Capitol, the House floor, and our
116 democratic process. People died that day, and hundreds were
117 seriously injured.

118 That attack, and movement that motivated it, started and
119 was nourished on your platforms. Your platforms suggested
120 groups for people to join, videos they should view, and posts
121 they should like, driving this movement forward with
122 terrifying speed and efficiency.

123 FBI documents show that many of these individuals used
124 your platforms to plan, recruit, and execute this attack.
125 According to independent research, users on Facebook were
126 exposed 1.1 billion times to misinformation related to the
127 election last year alone despite changes to your policies and
128 claims that you have removed election misinformation.

129 Our Nation is in the middle of a terrible pandemic.
130 Nearly 550,000 Americans have lost their lives to this deadly
131 disease, more than any other country on the planet. And an

132 independent study found that on Facebook alone, that users
133 across five countries, including the United States, were
134 exposed to COVID disinformation an estimated 3.8 billion
135 times, again despite claims of fixes and reforms.

136 And now, as the Biden administration is working to
137 implement the American Rescue Plan and get vaccines in
138 people's arms, we are faced with waves of disinformation on
139 social media about the safety and efficacy of these shots.
140 These vaccines are the best chance we have to fight this
141 virus, and the content that your websites are still
142 promoting, still recommending, and still sharing is one of
143 the biggest reasons people are refusing the vaccine.

144 And things haven't changed. My staff found content on
145 YouTube telling people not to get vaccines, and was
146 recommended to similar videos. The same was true on
147 Instagram, where it was not only easy to find vaccine
148 disinformation, but platforms recommended similar post. The
149 same thing happened on Facebook, except they also had anti-
150 vax groups to suggest as well. And Twitter was no different.
151 If you go to any of these superspreader accounts that remain
152 up despite the policies meant to curb this anti-vax content,
153 you will see this content.

154 Now, understand this. You can take this content down.
155 You can reduce division. You can fix this. But you choose
156 not to. We saw your platforms remove ISIS terrorist content.

157 We saw you tamp down on COVID misinformation at the beginning
158 of the pandemic. And we have seen disinformation drop when
159 you have promoted reliable news sources and removed serial
160 disinformation superspreaders from your platform. You have
161 the means.

162 But time after time, you are picking engagement and
163 profit over the health and safety of your users, our Nation,
164 and our democracy. These are serious issues, and to be
165 honest, it seems like you all just shrug off billion-dollar
166 fines. Your companies need to be held accountable. We need
167 rules, regulations, technical experts in government, and
168 audit authority of your technologies. Ours is the committee
169 of jurisdiction, and we will legislate to stop this. The
170 stakes are simply too high.

171 The chair will now recognize Mr. Latta, ranking member
172 of the Subcommittee on Communications and Technology, for
173 five minutes for his opening statement.

174 *Mr. Latta. Well, I thank the chairman for recognizing
175 me. And I want to thank our witnesses for being with us
176 today, for a conversation that is long overdue in the energy
177 and commerce committee. I am deeply concerned by your
178 decisions to operate your companies in a vague and biased
179 manner, with little to no accountability while using Section
180 230 as a shield for your actions and their real-world
181 consequences.

182 Your companies had the power to silence the President of
183 the United States, shut off legitimate journalism in
184 Australia, shut down legitimate scientific debate on a
185 variety of issues, dictate which articles or websites are
186 seen by Americans when they search the internet. When these
187 actions are taken, users have little to no recourse to appeal
188 the decision if they are aware of your actions. In most
189 cases, we simply don't know.

190 What does this mean for everyday Americans? We are all
191 aware of Big Tech's ever-increasing censorship of deserving
192 voices and their commitment to serve the radical progressive
193 agenda by influencing a generation of children, who are
194 moving, shutting down, or canceling any news, books, and even
195 now toys, that aren't considered woke. This is fundamentally
196 un-American.

197 At a recent hearing on disinformation and extremism
198 online, Professor Turley, one of the Nation's foremost
199 experts on constitutional law, testified about the little
200 brother problem, a problem which private entities do for the
201 government which it cannot legally do for itself.

202 As of January of this year, Google has a greater than 92
203 market share in search. Facebook has over 2.7 billion
204 monthly users. And Twitter has 187 million daily users.
205 Your companies have enormous control over whose ideas are
206 seen, read, or heard around the world. This gives you great

207 power. And if misused, as we have seen in recent years, your
208 actions have a ripple effect throughout the world that result
209 in American voices being removed from the marketplace of
210 ideas.

211 While the little brother problem of censorship is
212 frightening enough, other serious harms are occurring on
213 these platforms that affect ordinary Americans. Young
214 American children and teenagers are addicted -- actually
215 addicted -- to their devices and social media. This problem
216 has been exacerbated by the pandemic and will only get worse
217 if children continue to be separated from their peers and
218 cannot learn from their teachers in a classroom.

219 Your platforms are purposely designed to keep our
220 children hooked to their screens. The use of social media
221 has been linked to increased rates of depression, mental
222 illness, cyber-bullying, and suicide among America's youth.
223 Illegal drugs continue to be sold online despite your
224 previous commitment to solve these issues.

225 Mr. Chairman, I do ask unanimous consent to submit a
226 letter from the National Association of Boards of Pharmacy
227 for the record.

228 *Mr. Doyle. Without objection, so ordered.

229 *Mr. Latta. Thank you very much.

230

231

232 [The letter referred to by Mr. Latta follows:]

233

234 *****COMMITTEE INSERT*****

235

236 *Mr. Latta. Serious problems continue to persist, and
237 I wonder how much you are truly dedicating to combating
238 these actions. What actions are you taking to educate
239 Americans about the dangers of using your site, especially
240 the dangers for kids?

241 As ranking member of the Subcommittee on Communications
242 and Technology, we have oversight of any change made to
243 Section 230 of the Communications Decency Act. Section 230
244 provides you with liability protection for content
245 moderation decisions made in good faith. Based on recent
246 actions, however, it is clear that in your definition of
247 good faith, moderation includes censoring viewpoints you
248 disagree with and establishing a faux independent appeals
249 process that doesn't make its content moderation decisions
250 based on American principles of free expression. I find
251 that highly concerning.

252 I look forward to today's hearing as an important step
253 in reconsidering the extent to which Big Tech deserves to
254 retain the significant liability protection. And with that,
255 Mr. Chairman, I yield back the balance of my time.

256 *Mr. Doyle. Thank you. The gentleman yields back.

257 The chair now recognizes Chair Schakowsky, chair of the
258 Subcommittee on Consumer Protection and Commerce, for five
259 minutes for her opening statement.

260 *Ms. Schakowsky. Thank you. It is a pleasure to co-
261 chair this meeting with you.

262 I want to welcome our witnesses and thank them for
263 coming. It is not an exaggeration to say that your
264 companies have fundamentally and permanently transformed our
265 very culture and our understanding of the world. Much of
266 this is for good, but it is also true that our country, our
267 democracy, even our understanding of what is truth has been
268 harmed by the proliferation and dissemination of
269 misinformation and extremism, all of which has deeply
270 divided us.

271 What our witnesses today need to take away from this
272 hearing is that self-regulation has come to the end of its
273 road, and that this democracy, this democratic -- the people
274 that you see before you, elected by the people, is preparing
275 to move forth with legislation and regulation.

276 The regulation that we seek should not attempt to limit
277 constitutionally protected freedom of speech, but it must
278 hold platforms accountable when they are used to incite
279 violence and hatred or, as in the case of the COVID pandemic,
280 spread misinformation that costs thousands of lives.

281 All three of the companies that are here today run
282 platforms that are hotbeds of misinformation and
283 disinformation. And despite all the promises and new
284 policies to match, disinformation was rampant in the 2020

285 election, especially targeting vulnerable communities. For
286 example, Spanish language ads run by the Trump campaign
287 falsely accused President Biden of being endorsed by
288 Venezuelan President Maduro.

289 The spread of disinformation fed upon itself until it
290 arrived at the Capitol of the United States on January 6th,
291 which cost five lives. The lives lost in the insurgency were
292 not the first cases of these platforms' failure, nor even the
293 worst. In 2018, Facebook admitted a genocide of the Rohingya
294 people in Myanmar was planned and executed on Facebook.

295 2020 saw the rise of coronavirus disinformation on
296 Facebook platforms, including the playing of the -- they
297 called it "The Plandemic." This film got 1.8 million views
298 and 150,000 shares before it was removed. Disinformation
299 like Plandemic made people skeptical of the need for vaccines
300 and almost certainly cost -- contributed to the horrible loss
301 of life during the pandemic. Disinformation also hops
302 platforms to spread viruses. Disinformation also hops from
303 platform to platform. The Plandemic actually was first on
304 YouTube before it was on Facebook and Instagram and Twitter.

305 Misinformation regarding the election dropped 73 percent
306 across social media platforms after Twitter permanently
307 suspended Trump as well as -- and also the Capitol insurgency
308 and QAnon.

309 But the question really is: What took so long? The

310 witnesses here today have demonstrated time and time again
311 that they do not -- that self-regulation has not worked.
312 They must be held accountable for allowing disinformation and
313 misinformation to spread. And that is why I will be
314 introducing the Online Consumer Protection Act, which I hope
315 will earn bipartisan support. And thank you. I will yield
316 back.

317 *Mr. Doyle. The gentlelady yields back.

318 The chair now recognizes Mr. Bilirakis, ranking member
319 for the Subcommittee on Consumer Protection and Commerce, for
320 five minutes for his opening remarks.

321 *Mr. Bilirakis. Thank you, Mr. Chairman. I appreciate
322 it. Thank you for participating in today's hearing, all the
323 witnesses and the members.

324 I have been thinking about this hearing since our side
325 first requested this hearing last year. My time in college
326 has provided me enough knowledge about the history of the
327 committee to know what the Telecommunications Act was and,
328 importantly, what it wasn't. Components of that law have
329 been struck down by the courts, while other provisions are
330 interpreted and applied differently than first conceived.
331 This is all a departure from congressional intent.

332 Regardless of what one thinks of whether all of the
333 Communications Decency Act was the right approach, the same
334 members that voted for Section 230 voted for that entire

335 bill. The statute was meant to protect our society,
336 specifically our children.

337 To our witnesses today, here lies the problem for you:
338 You don't want the Federal Government telling you what parts
339 of your company you are allowed to operate. So imagine
340 things from our perspective when you pick and choose what
341 parts of the law you want to follow.

342 I really do admire your ingenuity. You have created
343 something truly remarkable, in my opinion. But with that
344 power, you must also be good Samaritans, and you have an
345 obligation to be stewards of your platform. If your legal
346 department doesn't believe you are bound to the intent of the
347 law, I would hope your moral compasses will.

348 Many of my colleagues will raise legitimate concerns
349 about the attack on the Capitol from January, and other
350 colleagues can point to what occurred in our cities last
351 summer. These were all incidents where social media
352 escalated tension, incited chaos, and bred extremism through
353 echo chambers and algorithms.

354 As a new Republican leader, quite an honor, on the
355 commerce protection and commerce committee, so the consumer
356 protection and commerce committee, I have been digging into
357 how your companies operate. That led me to run a survey of
358 my district following our Big Tech hearing announcement. The
359 conclusion is my constituents simply don't trust you anymore.

360 With thousands of responses, over 82 percent say they do
361 not trust Big Tech to be good stewards of their platforms or
362 consistently enforce their policies. That includes my
363 constituent who told me, "We were providing information to
364 local families on teen suicide risks on Facebook Livestream.
365 It was blocked by Facebook.'"

366 Another constituent said she has seen countless teens be
367 bullied online or simply not able to process a devastating
368 comparison game that they are forced to deal with on social
369 media. Others told me they stopped using your services
370 altogether out of fear and distrust. One even told me they
371 quit social media due to treatment from your companies over
372 their families' Christian views.

373 Each one of these represents a story of how your
374 companies have failed people. And you will be hearing from
375 my colleagues with more of these stories about how Big Tech
376 has lost its way, highlighting a much larger problem. People
377 want to use your services, but they suspect your coders are
378 designing what they think we should see and hear by keeping
379 us online longer than ever, and all with the purpose to
380 polarize or monetize us, disregarding any consequences for
381 the assault on our inherent freedoms which we hold so dearly.

382 So I don't want to hear about how changing your current
383 law is going to fresh startups because I have heard directly
384 from them, accusing you of anticompetitive tactics. None of

385 us want to damage entrepreneurs. What I do want to hear is
386 what you will do to bring our country back from the fringes
387 and stop the poisonous practices that drive depression,
388 isolation, and suicide, and instead cooperate with law
389 enforcement to protect our citizens.

390 Our kids are being lost while you say you will try to do
391 better, as we have heard countless time already. We need
392 true transparency and real change. We need, again, not empty
393 promises from you, and we have heard that over and over
394 again. The fear you should have coming into this hearing
395 today isn't that you are going to get upbraided by a Member
396 of Congress. It is that our committee knows how to get
397 things done when we come together. We can do this with you
398 or without you. And we will.

399 Thank you, Mr. Chairman. I yield back.

400 *Mr. Doyle. The gentleman yields back.

401 The chair now recognizes Mr. Pallone, chairman of the
402 full committee, for five minutes for his opening statement.

403 *The Chairman. Thank you, Chairman Doyle and
404 Schakowsky, for this very important hearing. We are here
405 today because the spread of disinformation and extremism has
406 been growing online, particularly on social media, where
407 there are little to no guardrails in place to stop it.

408 And unfortunately, this disinformation and extremism
409 doesn't just stay online. It has real-world, often dangerous

410 and even violent, consequences. And the time has come to
411 hold online platforms accountable for their part in the rise
412 of disinformation and extremism.

413 According to a survey conducted by Pew earlier this
414 month, 30 percent of Americans are still hesitant or simply
415 do not want to take the COVID-19 vaccine. On January 6, our
416 Nation's Capitol was violently attacked. This month,
417 Homeland Security Secretary Mayorkas identified domestic
418 violent extremism as the "greatest threat" to the United
419 States. And crimes against Asian Americans have risen by
420 nearly 150 percent since the beginning of the COVID-19
421 pandemic.

422 Five years ago, during the 2016 Presidential elections,
423 Facebook, Google, and Twitter were warned about -- but simply
424 ignored -- their platforms' role in spreading disinformation.
425 And since then, the warnings have continued but the problem has
426 only gotten worse.

427 Only after public outrage and pressure did these
428 companies make inadequate attempts to appease critics and
429 lawmakers. But despite the public rebuke, Wall Street
430 continued to reward the companies' strategy to promote
431 misinformation and disinformation by driving their stock prices
432 even higher.

433 And now, despite repeated promises to seriously tackle
434 this crisis, Facebook, Google, and Twitter instead routinely

435 make minor changes to their policies in response to the public
436 relations crisis of the day. And they will change some
437 underlying internal policy that may or may not be related to
438 the problem. But that is it. The underlying problem remains.

439 So Mr. Chairman, it is now painfully clear that neither
440 the market nor public pressure will force these social media
441 companies to take the aggressive action they need to take to
442 eliminate disinformation and extremism from their platforms.
443 And, therefore, it is time for Congress and this committee to
444 legislate and realign these companies' incentives.

445 Today our laws give these companies and their leaders a
446 blank check to do nothing. Rather than limit the spread of
447 disinformation, Facebook, Google, and Twitter have created
448 business models that exploit the human brain's preference for
449 divisive content to get Americans hooked on their platform, at
450 the expense of the public interest.

451 It isn't just that social media companies are allowing
452 disinformation to spread -- it is that, in many cases, they are
453 actively amplifying and spreading it themselves. And fines, to
454 the extent they are levied at all, have simply become the cost
455 of doing business.

456 The dirty truth is that they are relying on algorithms to
457 purposefully promote conspiratorial, divisive, or extremist
458 content so they can take more money in ad dollars. And this is
459 because the more outrageous and extremist the content, the more

460 engagement and views these companies get from their users. And
461 more views equal more money, Mr. Chairman. That is what it is
462 all about, more money.

463 It is crucial to understand that these companies aren't
464 just mere bystanders -- they are playing an active role in the
465 meteoric rise of disinformation and extremism because they make
466 money on it. So when a company is actually promoting this
467 harmful content, I question whether existing liability
468 protections should apply.

469 Members on this Committee have suggested legislative
470 solutions and introduced bills. The Committee is going to
471 consider all these options so that we can finally align the
472 interests of these companies with the interests of the public
473 and hold the platforms and their CEOs accountable when they
474 stray.

475 That is why you are here today, Mr. Zuckerberg,
476 Mr. Pichai, and Mr. Dorsey. You have failed to meaningfully
477 change after your platforms played a role in fomenting
478 insurrection, in abetting the spread the virus, and trampling
479 Americans civil liberties.

480 And while it may be true that some bad actors will shout
481 fire in a crowded theater, by promoting harmful content, your
482 platforms are handing them a megaphone to be heard in every
483 theater across the country and the world. Your business model
484 itself has become the problem.

485 And the time for self-regulation is over. It is time we
486 legislate to hold you accountable. That is what we are going
487 to do. And I want to thank you, Mr. Chairman, Mr. Doyle and
488 Ms. Schakowsky, because I know that you are very serious about
489 moving forward on legislation, which we will do. I promise
490 everyone.

491 Thank you, and I yield back.

492 *Mr. Doyle. The gentleman yields back. The chair now
493 recognizes Ms. Rodgers, the ranking member of the full
494 committee, for five minutes for her opening statement.

495 *Ms. Rodgers. Thank you, Mr. Chairman.

496 Ten years ago, when I joined Big Tech platforms, I
497 thought they would be a force for good. I thought that they
498 would help us build relationships and promote transparency in
499 Congress. I can testify today I was wrong. That is not what
500 has transpired. You have broken my trust. Yes, because you
501 failed to promote the battle of ideas and free speech. Yes,
502 because you censor political viewpoints you disagree with.
503 Those polarizing actions matter for democracy.

504 But do you know what convinced me Big Tech is a
505 destructive force? It is now you have abused your power to
506 manipulate and harm our children. Your platforms are my
507 biggest fear as a parent. I am a mom of three school-aged
508 kids, and my husband and I are fighting the Big Tech battles
509 in our household every day.

510 It is a battle for their development, a battle for their
511 mental health, and ultimately, a battle for their safety. I
512 have monitored your algorithms. I have monitored where your
513 algorithms lead them. It is frightening. And I know that I
514 am not alone.

515 After multiple teenaged suicides in my community, I
516 reached out to our schools and we started asking questions:
517 What is going on with our kids? What is making them feel so
518 alone, so empty and in despair? And this is what I heard
519 over and over again from parents, pediatricians, school
520 administrators, and teachers. They are all raising the alarm
521 about social media.

522 A day doesn't go by that I don't talk to friends and
523 other parents who tell me their 14-year-old is depressed.
524 She used to love soccer. Now they can't get her to do
525 anything. She never gets off her device or leaves her room.
526 I think about a mom who told me she can't leave her daughter
527 alone, ever, because she harms herself; for the family who is
528 recovering after almost losing their daughter to a predator
529 she met online.

530 These stories are not unique to me or Eastern
531 Washington. I recently heard of a young college student who
532 has lost nine friends to suicide. This is unimaginable. The
533 science on social media is becoming clear. Between 2011 and
534 2018, rates of depression, self-harm, suicides, and suicide

535 attempts exploded among American teens.

536 During that time, rates of teen depression increased
537 more than 60 percent, with a larger increase among young
538 girls. Between 2009 and 2015, emergency room admissions for
539 self-harm among 10- to 14-year-olds tripled. And suicide
540 substantially increased.

541 One study found during that time, teens who use their
542 devices for five or more hours a day were 66 percent more
543 likely to have at least one suicide-related outcome compared
544 to those who used their for just one. Other studies found
545 that teens who spend more time online report lower
546 psychological well-being and more feelings of loneliness.

547 Remember, our kids, the users, are the product. You,
548 Big Tech, are not advocates for children. You exploit and
549 profit off of them. Big Tech needs to be exposed and
550 completely transparent for what you are doing to our children
551 so parents like me can make informed decisions. We also
552 expect Big Tech to do more to protect children because you
553 haven't done enough. Big Tech has failed to be good stewards
554 of your platforms.

555 I have two daughters and a son with a disability. Let
556 me be clear: I do not want you defining what is true for
557 them. I do not want their future manipulated by your
558 algorithms. I do not want their self-worth defined by the
559 engagement tools you built to attract their attention. I do

560 not want them to be in danger from what you have created. I
561 do not want their emotions and vulnerabilities taken
562 advantage of so you can make more money and have more power.

563 I am sure most of my colleagues on this committee who
564 are parents and grandparents feel the same way. Over
565 20 years ago, before we knew what Big Tech would become,
566 Congress gave you liability protections. I want to know:
567 Why do you think you still deserve those protections today?
568 What will it take for your business model to stop harming
569 children? I know I speak for millions of moms when I say we
570 need answers and we will not rest until we get them.

571 Thank you.

572 *Mr. Doyle. I thank the gentlelady. The gentlelady
573 yields back.

574 The chair would now like to remind members that pursuant
575 to committee rules, all members' written opening statements
576 shall be made a part of the record.

577 I would now like to introduce our witnesses for today's
578 hearing and thank them all for appearing today. First we
579 have Mark Zuckerberg, chairman and chief executive officer of
580 Facebook; Sundar Pichai, chief executive officer of Google;
581 and Jack Dorsey, chief executive officer of Twitter.

582 We want to thank all three of you for joining us today.
583 We look forward to your testimony. Each of you will have
584 five minutes to give your opening statements.

585 Mr. Zuckerberg, we will start with you. You are
586 recognized for five minutes.
587

588 STATEMENTS OF MARK ZUCKERBERG, CHAIRMAN AND CHIEF EXECUTIVE
589 OFFICER OF FACEBOOK; SUNDAR PICHAI, CHIEF EXECUTIVE OFFICER
590 OF GOOGLE; AND JACK DORSEY, CHIEF EXECUTIVE OFFICER OF
591 TWITTER

592

593 STATEMENT OF MARK ZUCKERBERG

594

595 *Mr. Zuckerberg. Chairs Pallone, Schakowsky, and Doyle;
596 Ranking Members Rodgers, Latta, and Bilirakis; and members of
597 the committee, I am glad that this committee is looking at
598 all the ways that misinformation and disinformation show up
599 in our country's discourse.

600 There are important challenges here for our society. We
601 have to decide how we want to handle speech that is legal but
602 harmful, and who should be responsible for what people say.
603 Misinformation is not a new problem. It was 200 years ago
604 that a congressman said that a lie would travel from Maine to
605 Georgia while truth was still getting on its boots. And
606 disinformation has often been spread through traditional
607 media, too.

608 But the internet gives everyone the power to
609 communicate, and that certainly presents unique challenges.
610 Now, people often says things that aren't verifiably true but
611 that speak to their lived experiences. I think we have to be
612 careful restricting that. For example, if someone feels

613 intimidated or discriminated against while voting, I believe
614 that they should be able to share their experience, even if
615 the election overall was fair.

616 I don't think anyone wants a world where you can only
617 say things that private companies judge to be true, where
618 every text message, email, video, and post has to be fact-
619 checked before you hit send. But at the same time, we also
620 don't want misinformation to spread that undermines
621 confidence in vaccines, stops people from voting, or causes
622 other harms.

623 At Facebook, we do a lot to fight misinformation. We
624 have removed content that could lead to imminent real-world
625 harm. We have built an unprecedented third party fact-
626 checking program, and if something is rated false, then we
627 have warning labels and significantly reduce its
628 distribution. We invest a lot in directing billions of
629 people to authoritative information.

630 The system isn't perfect. But it is the best approach
631 that we have found to address misinformation in line with our
632 country's values. It is not possible to catch every piece of
633 harmful content without infringing on people's freedoms in a
634 way that I don't think that we would be comfortable with as a
635 society.

636 Our approach was tested in 2020 when we took
637 extraordinary steps during an extraordinary election. We

638 removed voting misinformation; banned hundreds of malicious
639 and conspiracy networks, including QAnon; labeled posts that
640 prematurely or wrongly declared victory; and directed people
641 to official results. We labeled over 180 million posts. We
642 directed 140 million people to our official Voting
643 Information Center. And we helped 4 and a half million
644 people register to vote.

645 We did our part to secure the integrity of the election.
646 And then, on January 6th, President Trump gave a speech
647 rejecting the results and calling on people to fight. The
648 attack on the Capitol was an outrage, and I want to express
649 my sympathy to all of the members, and Capitol workers who
650 had to live through this disgraceful moment in our history.
651 And I want to express my gratitude to the Capitol police, who
652 were on the front lines in defense of our democracy.

653 I believe that the former President should be
654 responsible for his words, and that the people who broke the
655 law should be responsible for their actions. So that leaves
656 the question of the broader information ecosystem. And I
657 can't speak for everyone else -- the TV channels, radio
658 stations, news outlets, websites, and other apps -- but I can
659 tell you what we did.

660 Before January 6th, we worked with law enforcement to
661 identify and address threats. During and after the attack,
662 we provided extensive support in identifying the

663 insurrectionists, and removed posts supporting violence. We
664 didn't catch everything, but we made our services
665 inhospitable to those who might do harm. And when we feared
666 that he would incite further violence, we suspended the
667 former President's account.

668 Now, many people are concerns that platforms can ban
669 leaders. I am, too. I don't think that private companies
670 should make so many decisions like this alone. We need an
671 accountable process, which is why we created an independent
672 oversight board that can overrule our decisions. And we need
673 democratically agreed rules for the internet.

674 The reality is, our country is deeply divided right now,
675 and that isn't something that tech companies alone can fix.
676 Now, we all have a part to play in helping to turn things
677 around, and I think that starts with taking a hard look at
678 how we got here.

679 Now, some people say that the problem is that social
680 networks are polarizing us. But that is not at all clear
681 from the evidence or research. Polarization was rising in
682 America long before social networks were even invented. And
683 it is falling or stable in many other countries where social
684 networks are popular. Others claim that algorithms feed us
685 content that makes us angry because it is good for business,
686 but that is not accurate, either.

687 I believe that the division we see today is primarily

688 the result of a political and media environment that drives
689 Americans apart. And we need to reckon with that if we are
690 going to make progress. I know that technology can help
691 bring people together. We see it every day on our platforms.
692 Facebook is successful because people have a deep desire
693 to connect and share, not to stand apart and fight. And we
694 believe that connectivity and togetherness are more powerful
695 ideals than division and discord, and that technology can be
696 part of the solution to the challenges our society is facing.
697 And we are ready to work with you to move beyond hearings and
698 get started on real reform. Thank you.

699 [The prepared statement of Mr. Zuckerberg follows:]

700

701 *****COMMITTEE INSERT*****

702

703 *Mr. Doyle. Thank you, Mr. Zuckerberg.

704 Now Mr. Pichai. You are now recognized for five
705 minutes. Mr. Pichai, are you on mute?

706 *Mr. Pichai. Sorry. I had my volume on.

707

708 STATEMENT OF SUNDAR PICHAI

709

710 *Mr. Pichai. Chairman Doyle, Ranking Member Latta,
711 Chairwoman Schakowsky, Ranking Member Bilirakis, full
712 committee Chair Pallone, and full committee Ranking Member
713 McMorris Rodgers, and members of the committee, thank you for
714 the opportunity to appear before you today.

715 To begin, I want to express my sympathies to those who
716 have lost loved ones to COVID or the recent gun violence in
717 Boulder and Atlanta. In difficult times, we are re minded of
718 what connects us as Americans -- the hope that we can make
719 things better for our families and our communities. And we
720 at Google are committed to that work.

721 I joined Google because I believed the internet was the
722 best way to bring the benefits of technology to more people.
723 Over the past three decades, we have seen how it has inspired
724 the best in society by expanding knowledge, powering
725 businesses, and providing opportunities for discovery and
726 connection.

727 I am proud that anyone can turn to Google for help,
728 whether they are looking for vaccine information, learning
729 new skills on YouTube, or using digital tools to grow their
730 businesses. In 2020 our products helped 2 million U.S.
731 businesses and publishers generate \$426 billion in economic
732 activity. We are energized by the opportunity to help people

733 at scale, and humbled by the responsibility that comes with
734 it.

735 Thousands of people at Google are focused on everything
736 from cyber-attacks to privacy to today's topic,
737 misinformation. Our mission is to organize the world's
738 information and make it universally accessible and useful.
739 The goal to that is providing trustworthy content and
740 opportunities for free expression while combating
741 misinformation.

742 It is a big challenge without easy answers. 500-plus
743 hours of video are uploaded to YouTube every minute. And
744 approximately 15 percent of Google searches each day are near
745 to us. Eighteen months ago, no one had heard of COVID-19.
746 Sadly, coronavirus was the top trending search last year.

747 Staying ahead of new challenges to keep users safe is a
748 top priority. We saw the importance of that on January 6th,
749 when a mob stormed the U.S. Capitol. Google strongly
750 condemns these violent acts on our democracy and mourns the
751 lives lost.

752 In response, we raised up authoritative sources across
753 our products. On YouTube, we removed livestreams and videos
754 that violated our "incitement to violence" policies, and
755 began issuing strikes to those in violation of our
756 "presidential elections" policy. We removed apps from the
757 Play Store for inciting violence, and stopped ads referencing

758 the 2020 election or the Capitol riots as part of our
759 "sensitive events" policy.

760 We were able to act quickly because we were prepared
761 ahead of the 2020 elections. Our reminders of how to
762 register and vote were viewed over 2 billion times.
763 YouTube's election results information panels have been
764 viewed more than 8 billion times.

765 We also worked to keep campaign safe from by cyber-
766 attacks and protect platforms from abuse. After the
767 December 8 safe harbor deadline for States to certify
768 elections, we removed content from YouTube that alleged
769 widespread fraud changed the outcome of the election.

770 This past year, we have also focused on providing
771 quality information during the pandemic. Globally, we have
772 committed over \$540 million in ad grants for COVID-related
773 PSAs to governments, health organizations, and nonprofits.
774 On YouTube, our COVID information panels have been viewed
775 over 400 billion times. We also removed 850,000 videos and
776 blocked nearly 100 million COVID-related acts throughout
777 2020.

778 Across all of this work, we strive to have transparent
779 policies and enforce them without regard to politics or point
780 of view. Our ability to provide a range of information and
781 viewpoints, while also being able to remove this information,
782 is possible only because of legal frameworks like Section

783 230. It is foundational to the open web, which has been a
784 powerful force for good for so many.

785 I look forward to sharing more about our approach today
786 and working together to create a path forward for the next
787 three decades. Thank you.

788 [The prepared statement of Mr. Pichai follows:]

789

790 *****COMMITTEE INSERT*****

791

792 *Mr. Doyle. Thank you, Mr. Pichai.

793 The chair now recognizes Mr. Dorsey for five minutes.

794

795 STATEMENT OF JACK DORSEY

796

797 *Mr. Dorsey. Thank you, members of the Energy and
798 Commerce Committee and its subcommittees, for the opportunity
799 to speak with the American people about how Twitter may be
800 used to spread disinformation, and our solutions. My remarks
801 will be brief so we can move to your questions and
802 discussion.

803 In our discussion today, some of you might bring up
804 specific tweets or examples, and I will probably have an
805 answer like, "My team will follow up with you.'" I don't
806 think that is useful. I would rather us focus on principles
807 and approaches to address these problems. I will start with
808 ours.

809 We believe in free expression. We believe in free
810 debate and conversation to find the truth. At the same time,
811 we must balance that with our desire for our service not to
812 be used to sow confusion, division, or destruction. This
813 makes the freedom to moderate content critical to us.

814 Our process to moderate content is designed to
815 constantly evolve. We observe what is happening on our
816 service. We work to understand the ramifications. And we
817 use that understanding to strengthen our operations. We push
818 ourselves to improve, based on the best information we have.

819 Much of what we are likely to discuss today are entirely

820 new situations the world has never experienced before, and in
821 some unique cases, involved elected officials. We believe
822 the best way to face a big, new challenge is through
823 narrowing the problem to have the greatest impact.

824 Disinformation is a broad concept, and we needed to
825 focus our approach on where we saw the greatest risk if we
826 hoped to have any impact at all. So we chose to focus on
827 disinformation leading to offline harm, and three categories
828 to start: manipulated media, public health, and civic
829 integrity.

830 Many of you will have strong opinions on how effective
831 we are in this work. Some of you will say we are doing too
832 much and removing free speech rights. Some of you will say
833 we are not doing enough and end up causing more harm. Both
834 points of view are reasonable and worth exploring.

835 If we woke up tomorrow and decided to stop moderating
836 content, we would end up with a service very few people or
837 advertisers would want to use. Ultimately, we are running a
838 business, and a business wants to grow the number of
839 customers it serves. Enforcing policy is a business
840 decision. Different businesses and services will have
841 different policies, some more liberal than others, and we
842 believe it is critical this variety continues to exist.
843 Forcing every business to behave the same reduces innovation
844 and individual choice, and diminishes free marketplace

845 ideals.

846 If instead we woke up tomorrow and decided to ask the
847 government to tell us what content to take down or leave up,
848 we may end up with a service that couldn't be used to
849 question the government. This is a reality in many countries
850 today, and is against the right of an individual. This would
851 also have the effect of putting enormous resource
852 requirements on businesses and services, which would further
853 entrench only those who are able to afford it. Smaller
854 businesses would not be able to compete, and all activity
855 would be centralized into very few businesses.

856 So how do we resolve these two viewpoints? One way is
857 to create shared protocols. Social media has proven itself
858 important enough to be worthy of an internet protocol, one
859 that a company like Twitter can contribute to and compete on
860 creating experiences people love to use. We started work on
861 such a protocol, which we call Blue Sky. It intends to act
862 as a decentralized, open source social media protocol, not
863 owned by any single company or organization. Any developer
864 around the world can help develop it, just as any company can
865 access its services.

866 But does an open protocol address the concerns raised
867 here? Greater transparency is the strongest benefit. Anyone
868 around the world can see everything that is happening in the
869 newsletter, including exactly how it works. One doesn't have

870 to trust a company. Just look at the source code.

871 Second, since the base protocol is shared, it will
872 increase innovation around business models, recommendation
873 algorithms, and moderation controls, which are in the hands
874 of individuals rather than private companies. This will allow
875 people to experiment in a market-based approach. Finally, it
876 will allow all of us to observe, acknowledge, and address any
877 societal issues that arise much faster. Having more eyes on
878 the problems will lead to more impactful solutions that can
879 be built directly into this protocol, making the network far
880 more secure and resilient.

881 A decentralized, open source protocol for social media
882 is our vision and work for the long term. We continue the
883 cycle mentioned earlier of constantly improving our approach
884 to content moderation in the short term. I hope our
885 discussion today will focus on more enduring solutions.

886 One final note: We are a bunch of humans with a desire
887 to make the world around us better for everyone living today
888 and those that come after us. We make mistakes in
889 prioritization and in execution. We commit to being open
890 about these and doing our best to remedy what we control.

891 We appreciate the enormous privilege we have in building
892 technologies to host some of the world's most important
893 conversations, and we honor the desire to create better
894 outcomes for everyone who interacts with them.

895 Thanks for your time, and I look forward to the
896 discussion.

897 [The prepared statement of Mr. Doyle follows:]

898

899 *****COMMITTEE INSERT*****

900

901 *Mr. Doyle. Thank you, Mr. Dorsey.

902 Well, we have concluded witness opening statements. At
903 this time we will move to member questions. I want to make
904 sure that members are aware that our witnesses are being
905 assisted by counsel, and during questions our witnesses may
906 briefly mute themselves to seek advice of counsel, which is
907 permitted.

908 Each member will have five minutes to start asking
909 questions of our witnesses. I ask everyone to please adhere
910 to that five-minute rule, as we have many people that want to
911 ask questions. I will start by recognizing myself for five
912 minutes.

913 *Mr. Duncan. Mr. Chairman, a point of order?

914 *Mr. Doyle. The gentleman -- who is speaking?

915 *Mr. Duncan. This is Jeff Duncan. Point of order.

916 *Mr. Doyle. Yes, sir?

917 *Mr. Duncan. If the witnesses are advised by counsel
918 and we are not swearing them in, why would they need counsel?

919 *Mr. Doyle. In previous hearings, we have always
920 permitted witnesses to have counsel. Sometimes you will see
921 them at a hearing just leaning back and talking to their
922 counsel before a question. But it is allowed under our
923 rules, and I just wanted to make members aware that they may
924 mute themselves while that is going on.

925 *Mr. Duncan. They should be sworn in, but I yield back.

926 Thank you.

927 *Mr. Doyle. Okay. Gentlemen, my time is short, and I
928 ask that you make your responses as brief and to the point as
929 possible. If I ask you a yes or no question, I am just
930 looking for a yes or no. So please respond appropriately.

931 I want to start by asking all three of you if your
932 platform bears some responsibility for disseminating
933 disinformation related to the election and the Stop the Steal
934 movement that led to the attack on the Capitol. Just a yes
935 or no answer. Mr. Zuckerberg?

936 *Mr. Zuckerberg. Chairman, I think our responsibility
937 is to build systems that can help fight --

938 *Mr. Doyle. Mr. Zuckerberg, I just want a yes or no
939 answer. Okay? Yes or no: Do you bear some responsibility
940 for what happened?

941 *Mr. Zuckerberg. Congressman, our responsibility is to
942 make sure that we build effective systems to help fight the
943 spread of --

944 *Mr. Doyle. Okay. The gentleman's preference is not to
945 answer the question.

946 Mr. Pichai, yes or no?

947 *Mr. Pichai. We always feel a deep sense of
948 responsibility. But I think we worked hard. This election
949 effort was one of our most substantive efforts.

950 *Mr. Doyle. Is that a yes or a no?

951 *Mr. Pichai. Congressman, it is a complex question.

952 We --

953 *Mr. Doyle. Okay. We will move on.

954 Mr. Dorsey?

955 *Mr. Dorsey. Yes. But you also have to take into
956 consideration a broad ecosystem. It is not just about the
957 technology platforms that are used.

958 *Mr. Doyle. Thank you. Thank you, and I agree with
959 that.

960 Mr. Zuckerberg, independent analysis has shown that
961 despite all the things that Facebook did during the election,
962 users still interacted with election misinformation roughly
963 1.1 billion times over the last year. The initial Stop the
964 Steal group started on Facebook and gained over 350,000
965 followers in less than a day, faster than almost any other in
966 your platform's history, and they were immediately calling
967 for violence.

968 In mid-December, you stopped promoting high-quality news
969 outlets for election content, at a time when the
970 disinformation was at its height. And finally, the FBI has
971 released numerous documents showing that many of the
972 insurrectionists used Facebook to coordinate and plan the
973 attack on January 6th.

974 So my question is: How is it possible for you not to at
975 least admit that Facebook played a central role or a leading

976 role in facilitating the recruitment, planning, and execution
977 of the attack on the Capitol?

978 *Mr. Zuckerberg. Chairman, my point is that I think
979 that the responsibility here lies with the people who took
980 the actions to break the law and take -- and do the
981 insurrection.

982 And secondarily, also, the people who spread that
983 content, including the President but others as well, with
984 repeated rhetoric over time saying that the election was
985 rigged and encouraging people to organize. I think that
986 those people bear the primary responsibility as well. And
987 that was the point that I was making.

988 *Mr. Doyle. I understand that. But your platforms
989 supercharged that. You took what -- a thing and magnified
990 it; in 12 hours you got 350,000 people in your site. You gin
991 this up. Your algorithms make it possible to supercharge
992 these kinds of opinions. I think we are here because of what
993 these platforms enabled, how your choices put our lives and
994 our democracy at risk. And many of us just find it just
995 unacceptable.

996 I want to ask each of you another question. Do you
997 think vaccines that have been approved for COVID-19 work?
998 Just yes or no. Do you think the vaccines that have been
999 approved work? Mr. Zuckerberg?

1000 *Mr. Zuckerberg. Yes.

1001 *Mr. Doyle. Mr. Pichai?

1002 *Mr. Pichai. Yes. Absolutely.

1003 *Mr. Doyle. Mr. Dorsey?

1004 *Mr. Dorsey. Yes. But I don't think we are here to
1005 discuss our own personal opinions.

1006 *Mr. Doyle. I just want to know if you think the
1007 vaccines work. Yes?

1008 *Mr. Dorsey. Yes. However --

1009 *Mr. Doyle. Thank you. Okay. So if you think the
1010 vaccines work, why have your companies allowed accounts that
1011 repeatedly offend your vaccine disinformation policies to
1012 remain up? I mean, according to report, just 12 accounts on
1013 Facebook, Twitter, and Instagram account for 65 percent of
1014 all the vaccine disinformation on your platforms. You are
1015 exposing tens of millions of users to this every day. I
1016 don't have the states on YouTube, but my understanding is it
1017 is similar.

1018 So my question is: Why, in the midst of a global
1019 pandemic that has killed over half a million Americans, that
1020 you haven't taken these accounts down that are responsibility
1021 for the preponderance of vaccine disinformation on your
1022 platforms? Will you all commit to taking these platforms
1023 down today? Mr. Zuckerberg?

1024 *Mr. Zuckerberg. Congressman, yes, we do have a policy
1025 against allowing vaccine disinformation --

1026 *Mr. Doyle. Oh, I know you have a policy, but will you
1027 take the sites down today? You still have 12 people up on
1028 your site doing this. Will you take them down?

1029 *Mr. Zuckerberg. Congressman, I would need to look at
1030 the -- and have our team look at the exact examples to make
1031 sure they violate the policy --

1032 *Mr. Doyle. Look at them today and get back to us
1033 tomorrow because those still exist. We found them as early
1034 as last night.

1035 Mr. Pichai, how about you?

1036 *Mr. Pichai. We have removed over 850,000 videos and
1037 we --

1038 *Mr. Doyle. But have you removed them all? Do you
1039 still have people that are spreading disinformation on your
1040 platforms? There are about 12 superspreaders.

1041 *Mr. Pichai. We have clear policies and we take down
1042 content. Some of the content is allowed if it is people's
1043 personal experiences. But we definitely --

1044 *Mr. Doyle. Okay. Thank you. Mr. Dorsey? I see my
1045 time is getting expired. Mr. Dorsey? Will you take these
1046 sites down? You got about 12 superspreaders. Will you take
1047 them down?

1048 *Mr. Dorsey. Yes. We remove everything against our
1049 policy.

1050 *Mr. Doyle. Thank you.

1051 I see my time is expired. I will now yield to the
1052 ranking member, Mr. Latta, for his five minutes.

1053 *Mr. Latta. I thank my friend for yielding.

1054 Amanda Todd was just 15 years old when she hung herself.
1055 Amanda met a man online, who took inappropriate screenshots
1056 of Amanda, and proceeded to follow her around the internet
1057 and harass her for years. He found her classmates on
1058 Facebook and he would send them the picture he took of her.
1059 To cope with the anxiety, Amanda turned to drugs and alcohol.
1060 But it became too much for her.

1061 Mr. Zuckerberg, clearly Ms. Todd was underage, so the
1062 photo that was shared to harass her was illegal. Do you
1063 believe that Facebook bears any responsibility for the role
1064 it played in her death? Yes or no?

1065 *Mr. Zuckerberg. Sorry, I was muted. Congressman, that
1066 is a -- it is an incredibly sad story. And I think that we
1067 certainly have a responsibility to make sure that we are
1068 building systems that can fight and remove this kind of
1069 harmful content. In the case of child exploitation content,
1070 we have been building systems for a long time that use AI,
1071 and we have thousands of people working on being able to
1072 identify this content and remove it, and I think our systems
1073 are generally pretty effective at this. And I think it is
1074 our responsibility to make sure that we keep improving them.

1075 *Mr. Latta. My time -- my time is pretty short, but

1076 would you say yes or no then?

1077 *Mr. Zuckerberg. Sorry. Can you repeat that?

1078 *Mr. Latta. Well, in the question, yes or no, then?

1079 Any responsibility?

1080 *Mr. Zuckerberg. Congressman, I believe that the

1081 responsibility of the platform --

1082 *Mr. Latta. Okay. Well, let me move on because I have

1083 got -- I am very short on time.

1084 Do you believe that Facebook should be held accountable

1085 for any role in her death? Yes or no?

1086 *Mr. Zuckerberg. Congressman, the responsibility that I

1087 think platforms should have --

1088 *Mr. Latta. Okay.

1089 *Mr. Zuckerberg. -- is to build effective systems to

1090 moderate this content.

1091 *Mr. Latta. I am going to have to move on. I am going

1092 to have to take it that you are just not responding to the

1093 question.

1094 Unfortunately, stories like Amanda Todd's are only

1095 becoming more common. While we all can talk about how your

1096 platforms can be used for good or evil, the evil seems to

1097 persevere.

1098 Mr. Zuckerberg, you stated that you support thought

1099 changes to Section 230 to ensure that tech companies are held

1100 accountable for certain actions that happen on their

1101 platforms, such as child exploitation. What specific changes
1102 do you support in Section 230?

1103 *Mr. Zuckerberg. Thanks, Congressman. I would support
1104 two specific changes, especially for large platforms,
1105 although I want to call out that I think for smaller
1106 platforms, I think we need to be careful about any changes
1107 that we made that remove their immunity because that could
1108 hurt competition. So let me just call on these for larger
1109 platforms.

1110 I think, first, platforms should have to issue
1111 transparency reports that state the prevalence of content
1112 across all different categories of harmful content,
1113 everything from child exploitation to terrorism to incitement
1114 of violence to intellectual property violations to
1115 pornography, whatever the different harms are, and --

1116 *Mr. Latta. Well, let me ask real quick now, where are
1117 those transparency reports you are being reported to, and how
1118 often do you think that should be going out?

1119 *Mr. Zuckerberg. Oh, Congressman, as a model, Facebook
1120 has been doing something to this effect for every quarter,
1121 where we report on the prevalence of each category of harmful
1122 content and how effective our system are at identifying that
1123 content and removing it in advance. And I think the company
1124 should be held accountable for having effective systems to do
1125 that broadly.

1126 The second change that I would propose is creating
1127 accountability for the large platforms to have effective
1128 systems in place to moderate and remove clearly illegal
1129 content, so things like sex trafficking or child exploitation
1130 or terrorist content. And I think it would be reasonable to
1131 condition immunity for the larger platforms on having a
1132 generally effective system in place to moderate clearly
1133 illegal types of content.

1134 *Mr. Latta. Let me interrupt real quick because I am
1135 running really short on time. Because I know in your
1136 testimony you are talking about that you would -- you say
1137 that platforms should not be held liable if a particular
1138 piece of content evades its detection.

1139 So again, that is one of the areas when you are talking
1140 about the transparency and also the accountability I would
1141 like to follow up on.

1142 Let me ask you real quick, Mr. Pichai, yes or no: Do
1143 you agree with Mr. Zuckerberg's changes to Section 230?

1144 *Mr. Pichai. There are definitely good proposals around
1145 transparency and accountability, which I have seen in various
1146 legislative proposals as well, which I think are important
1147 principles and we would certainly welcome legislative
1148 approaches in that area.

1149 *Mr. Latta. Okay. Mr. Doyle, do you agree with
1150 Mr. Zuckerberg? Yes or no? On the changes on 230?

1151 *Mr. Dorsey. I think the ideas around transparency are
1152 good. I think it is going to be very hard to determine what
1153 is a large platform and a small platform, and it may
1154 incentivize the wrong things.

1155 *Mr. Doyle. Okay. The gentleman's time is expired.

1156 *Mr. Latta. Thank you very much. My time is expired,
1157 and I yield back.

1158 *Mr. Doyle. The chair now recognizes Chair Schakowsky,
1159 chair of the Subcommittee on Consumer Protection and
1160 Commerce, for five minutes.

1161 *Ms. Schakowsky. Thank you so much.

1162 Mr. Zuckerberg, immediately after the Capitol
1163 insurgency, Sheryl Sandberg did an interview in which she
1164 insisted that the siege was largely planned on smaller
1165 platforms, that -- but the court filings actually show
1166 something quite the opposite, that the Proud Boys and Oath
1167 Keepers used Facebook to coordinate in real time during the
1168 siege.

1169 And so my question for you is: Will you admit today
1170 that Facebook groups, in particular, played a role in
1171 fomenting the extremism that we saw and that led to the
1172 Capitol siege?

1173 *Mr. Zuckerberg. Congresswoman, thanks for the question
1174 on this. In the comment that Sheryl made, what I believe
1175 that we were trying to say was -- and what I stand behind --

1176 is what was widely reported at the time, that after January
1177 6th --

1178 *Ms. Schakowsky. No. But I am sorry to interrupt, as
1179 many of my colleagues have had to do because we only have
1180 five minutes. But would you say that -- and would you admit
1181 that Facebook played a role?

1182 *Mr. Zuckerberg. Congresswoman, I think certainly there
1183 was content on our services, and from that perspective, I
1184 think that there is further work that we need to do to make
1185 our services and moderation more effective.

1186 *Ms. Schakowsky. I have heard that. Okay. I am going
1187 to ask Mr. Pichai a question.

1188 Many companies have used Section 230 as a shield to
1189 escape consumer protection laws. And I have a bill that
1190 would actually not protect companies that do that. And so,
1191 Mr. Pichai, would you agree that that that would be proper
1192 use, to not allow liability protection for those who violate
1193 consumer protection laws?

1194 *Mr. Pichai. Congresswoman, consumer protection laws
1195 are very important areas, like we comply with COPPA and
1196 HIPAA. I think the right approach is to have legislation in
1197 applicable areas, and have us --

1198 *Ms. Schakowsky. Okay. I am going to have to interrupt
1199 again. Is that a yes, that if a law has been broken, a
1200 consumer protection law, that it would not -- there would not

1201 be liability protection under Section 230 for you?

1202 *Mr. Pichai. We rely on the liability protections to
1203 actually take strong action in, particularly, new types of
1204 content. When the Christchurch shooting happens, within a
1205 few minutes our teams have to make decisions about the
1206 content to take down. That certainty is what we rely on.

1207 But I agree with you that we should have strong consumer
1208 protection laws and be subject to it, and have agencies like
1209 the FTC have clear oversight over those laws and how we
1210 comply with them.

1211 *Ms. Schakowsky. Let me just ask a real -- thank you --
1212 a real yes or no, quickly. Do you think that when you take
1213 money to run advertisements that promote disinformation, that
1214 you are exempt from liability? Yes or no? Yes or no?

1215 *Mr. Pichai. Section 230 --

1216 *Ms. Schakowsky. Mr. Zuckerberg? Yes or no?

1217 *Mr. Zuckerberg. Congresswoman, I don't know the legal
1218 answer to that. But we don't allow misinformation in our
1219 ads. And any ad that has been fact-checked as false, we
1220 don't allow it to run as an ad.

1221 *Ms. Schakowsky. Okay. And Mr. Dorsey?

1222 *Mr. Dorsey. Again, I also would need to review the
1223 legal precedent for it. But we would not allow that.

1224 *Ms. Schakowsky. Okay. And Mr. Pichai?

1225 *Mr. Pichai. We are subject to FTC's Deceptive Ad

1226 Practices, so there are statutes which apply to us. We
1227 removed over 3 billion bad ads last year alone.

1228 *Ms. Schakowsky. Okay. Let me ask one more question:
1229 Do you think that Section 230 should be expanded to trade
1230 agreements that are being made, as happened in the U.S. trade
1231 agreement with Mexico and Canada? Yes or
1232 no? Mr. Zuckerberg?

1233 *Mr. Zuckerberg. Congresswoman, my primary goal would
1234 be to help update Section 230 to reflect the kind of modern
1235 reality in what we have learned over 25 years. But that
1236 said, I do still think that Section 230 plays a foundational
1237 role in the development of the internet, and the company is
1238 getting bilked, so I do think that we should support it.

1239 *Ms. Schakowsky. I hear you. But I am talking now
1240 about trade agreements. Mr. Pichai?

1241 *Mr. Pichai. Congresswoman, I think there is value in
1242 it. But if there are evolution of Section 230, that should
1243 apply. And so in a flexible way, being able to do that would
1244 be good, I think.

1245 *Ms. Schakowsky. Mr. Dorsey?

1246 *Mr. Dorsey. I don't fully understand the ramifications
1247 of what you are suggesting. So I would have to review any --

1248 *Ms. Schakowsky. I am saying to have a liability shield
1249 that would be international and clarify it in trade
1250 agreements. And I think it is a bad idea.

1251 *Mr. Doyle. The gentlelady's time has expired.

1252 *Ms. Schakowsky. Thank you. I yield back.

1253 *Mr. Doyle. The chair now recognizes Mr. Bilirakis,
1254 ranking member of the Subcommittee on Consumer Protection and
1255 Commerce, for five minutes.

1256 *Mr. Bilirakis. Thank you, Mr. Chairman. I appreciate
1257 it.

1258 Mr. Dorsey, you have heard briefly about what I am
1259 hearing again my district. My opening remarks, you have
1260 heard them. The other key part with these stories that we
1261 are hearing when we conduct these surveys is how we empower
1262 law enforcement.

1263 In a hearing last year, we received testimony that since
1264 2016, Twitter has intentionally curtailed sharing threat data
1265 with law enforcement fusion centers. Here is the question:
1266 You are well aware that on Twitter and Periscope, that
1267 traffic has increased from bad actors seeking to groom
1268 children for molestation, lure females into sex trafficking,
1269 sell illegal drugs, incite violence, and even threaten to
1270 murder police officers.

1271 Are you willing to reinstate this cooperation, retain
1272 evidence, and provide law enforcement the tools to protect
1273 our most vulnerable? Yes or no?

1274 *Mr. Dorsey. Well, first, child sexual exploitation has
1275 no place on our platform, and I don't believe that is true.

1276 We work with local law enforcement regularly.

1277 *Mr. Bilirakis. So you are saying that this is not
1278 true, what I am telling you? Are you willing to reinstate --
1279 reinstate; in other words, it is not going on now --
1280 reinstate this cooperation with law enforcement to retain
1281 evidence and provide law enforcement the tools to protect our
1282 most vulnerable?

1283 *Mr. Dorsey. We would love to work with you in more
1284 detail on what you are seeing. But we work with law
1285 enforcement regularly. We have a strong partnership.

1286 *Mr. Bilirakis. So you are saying that this is not
1287 true, what I am telling you?

1288 *Mr. Bilirakis. I don't believe so. But I would love
1289 to understand the specifics.

1290 *Mr. Pichai. Will you commit to doing what I am telling
1291 you you are not doing in the future, and work with me on
1292 this?

1293 *Mr. Dorsey. We will commit to continue doing what we
1294 are doing.

1295 *Mr. Bilirakis. And what is that? You are saying that
1296 the -- so in other words --

1297 *Mr. Dorsey. Working with the local law enforcement.

1298 *Mr. Bilirakis. Okay. Well, let me go on to the next
1299 question. But I am going to follow up with this to make sure
1300 you are doing this. I mean, our children's lives are in

1301 jeopardy here.

1302 Mr. Zuckerberg, we have heard you acknowledge mistakes
1303 about your products before. There are now media reports of
1304 an Instagram for under-13 being launched. My goodness.
1305 Between this and YouTube Kids, you and Mr. Pichai have
1306 obviously identified a business case for targeting this age
1307 bracket with content, and I find that very concerning,
1308 targeting this particular age bracket, 13 and under.

1309 Given these free services, how exactly would you be
1310 making money, or are you trying to monetize our children,
1311 too, and get them addicted early? And will you be allowing
1312 your own children to use this site with the default settings?
1313 We are talking about, again, the site that apparently is
1314 being launched for children 13 and under, or under 13,
1315 actually. Can you please answer that question for me?

1316 *Mr. Zuckerberg. Congressman, we are early in thinking
1317 through how this service would work. There is clearly a
1318 large number of people under the age of 13 who would want to
1319 use a service like Instagram. We currently do not allow them
1320 to do that. I think the offer --

1321 *Mr. Bilirakis. What would be beneficial to our
1322 children to launch this kind of service?

1323 *Mr. Zuckerberg. Well, Congressman, I think helping
1324 people stay connected with friends and learn about different
1325 content online is broadly positive. There are clearly issues

1326 that need to be thought through and worked out, including how
1327 parents can control the experience of kids, especially kids
1328 under the age of 13. And we haven't worked through all of
1329 that yet, so we haven't kind of formally announced the plans.
1330 But I think that something like this could be quite helpful
1331 for a lot of people.

1332 *Mr. Bilirakis. Excuse me. Okay, I will reclaim my
1333 time.

1334 Mr. Pichai, your company has had failures to rating
1335 content for kids. What advice would you offer your challenge
1336 here?

1337 *Mr. Pichai. Congressman, we have invested a lot in a
1338 one-of-a-kind product, YouTube Kids. The content there is --
1339 we work with trusted content partners. Think Sesame Street
1340 as an example of the type of channel you would find there,
1341 science videos and cartoons. And we take great effort to
1342 make sure --

1343 *Mr. Bilirakis. I need to reclaim my time. I have one
1344 more -- one last question for Mr. Zuckerberg.

1345 Do you have concerns with what has appeared on your
1346 platform hosted by YouTube? And with regard to your
1347 children, about -- in general. Do you have concerns, yes
1348 or no?

1349 *Mr. Zuckerberg. Congressman, are you asking me about
1350 YouTube?

1351 *Mr. Bilirakis. Yes. I am asking you about YouTube.

1352 *Mr. Zuckerberg. Congressman, I use YouTube to watch
1353 educational videos with my children, and --

1354 *Mr. Bilirakis. Do you have concerns? First, for your
1355 children and your family personally? Do you have concerns?

1356 *Mr. Zuckerberg. Well, Congressman, my children are
1357 5 and 3 years old. So when I watch content on YouTube with
1358 them, I am doing it and supervising them. So in that
1359 context, no. I haven't particularly had concerns. But I
1360 think it is important that if anyone is building a service
1361 for kids under the age of 13 to use by themselves, that there
1362 are appropriate parental controls.

1363 *Mr. Doyle. The gentleman's time is expired.

1364 *Mr. Bilirakis. Thank you.

1365 *Mr. Doyle. I would ask all members to try to stick to
1366 our five-minute rule so that we can get out of here before
1367 midnight.

1368 The chair will not recognize Mr. Pallone, the full
1369 committee chair, for five minutes.

1370 *The Chairman. Thank you, Chairman Doyle. My questions
1371 are of Mr. Zuckerberg and Mr. Pichai. But I just want to
1372 say, after listening to the two of you's testimony, you
1373 definitely give the impression that you don't think that you
1374 are actively in any way promoting this misinformation and
1375 extremism. And I totally disagree with that.

1376 You are not passive bystanders. You are not nonprofits
1377 or religious organizations that are trying to do a good job
1378 for humanity. You are making money. And the point we are
1379 trying to make today, or at least I am, is that when you
1380 spread disinformation, misinformation, extremism, actively
1381 promoted and amplified, you do it because you make more
1382 money.

1383 And so I kind of deny the basic premise of what you
1384 said. But let me get to the questions. Let me ask
1385 Mr. Zuckerberg: According to a May 2020 Wall Street Journal
1386 report, a Facebook researcher concluded that Facebook's own
1387 recommendation tools were tied to a significant rise in
1388 membership in extremist Facebook groups in Germany. I wrote
1389 to you last month requesting this research and related
1390 documents. I trust you will fully cooperate with the
1391 committee's inquiry and provide all requested documents and
1392 information.

1393 But my question is, and please yes or no: Were you
1394 aware of this research showing that 64 percent of the members
1395 in the extremist Facebook groups studied join because of
1396 Facebook's own recommendations to join these extremist groups
1397 in Germany? Were you aware of that, yes or no?

1398 *Mr. Zuckerberg. Congressman, this is something that we
1399 study because we want to make sure our products --

1400 *The Chairman. But I am asking whether you were aware

1401 of it. It is a simple question. Yes or no: Were you aware
1402 of it? That is all I am asking. Were you aware of it?

1403 *Mr. Zuckerberg. Aware at what time? After we studied
1404 that --

1405 *The Chairman. I just asked if you were aware of it,
1406 Mr. Zuckerberg. Yes or no? If not, I am going to assume
1407 that the answer is yes. Okay?

1408 *Mr. Zuckerberg. Congressman, I have seen the study.
1409 It was about a --

1410 *The Chairman. All right. So your answer is yes.

1411 *Mr. Zuckerberg. -- contest leading up to the German
1412 election. And we have since --

1413 *The Chairman. I appreciate that. Let me go to the
1414 final question, which relates to that. You said yes. Okay.

1415 The troubling research I mentioned demonstrates that
1416 Facebook was not simply allowing disinformation and extremism
1417 to spread, it actively amplified it and spread it. This is
1418 my point. Nonetheless, Facebook didn't permanently stop
1419 permanently stop recommending political and civil groups to
1420 the United States until after the January 6th insurrection,
1421 years after it was made aware of this research.

1422 The fact that Facebook's own recommendation system
1423 helped populate extremist groups compels us to reevaluate
1424 platforms' liabilities. Now, back to that Wall Street
1425 Journal article.

1426 Facebook's chief product officer, Chris Cox, championed
1427 an internal effort to address division on Facebook and
1428 proposed a plan that would have reduced the spread of content
1429 by hyperactive users on the far left and far right. The
1430 article alleges, Mr. Zuckerberg, that you personally reviewed
1431 this proposal and approved it, but only after its
1432 effectiveness was decreased to 80 percent.

1433 Is that true? Yes or no, please?

1434 *Mr. Zuckerberg. Congressman, we have made a lot of
1435 measures that -- to fight this content, including --

1436 *The Chairman. Did you approve it after its
1437 effectiveness was decreased to 80 percent? Yes or no?

1438 *Mr. Zuckerberg. Congressman, I can't speak to that
1439 specific example. But we have put in place a lot of
1440 different measures, and I think that they are effective,
1441 including --

1442 *The Chairman. Did you review the proposal and approve
1443 it?

1444 *Mr. Zuckerberg. Congressman, we do a lot of work in
1445 this area and I review a lot of proposals and we move forward
1446 on a lot of steps.

1447 *The Chairman. It is not a difficult question. I am
1448 just asking if you reviewed this internal proposal and you
1449 approved it. And you won't even answer that. It is so easy
1450 to answer that question. It is very specific.

1451 All right. You won't answer. Right? Yes or no?

1452 *Mr. Zuckerberg. Congressman, that is not what I said.
1453 I said I did review that in addition to many other proposals
1454 and things that we have taken action on.

1455 *The Chairman. You whether or not --

1456 *Mr. Zuckerberg. Including shutting off recommendations
1457 for civic and political groups.

1458 *The Chairman. Did you approve it with the 80 percent
1459 decrease in effectiveness?

1460 *Mr. Zuckerberg. Congressman, I don't remember that
1461 specifically. But we have taken a number of different --

1462 *The Chairman. Okay. Let me --

1463 *Mr. Zuckerberg. -- steps on this.

1464 *The Chairman. Let me go to Mr. Pichai. Mr. Pichai,
1465 according to the New York Times, YouTube's recommendation
1466 algorithm is responsible for more than 70 percent of the time
1467 users spend on YouTube. In fact, a former designed emphasis
1468 at Google was quoted as saying, "If I am YouTube and I want
1469 you to watch more, I am always going to steer you towards
1470 Crazy Town.''

1471 Mr. Pichai, is YouTube's recommendation algorithm
1472 designed to encourage users to stay on the site? Yes or no?
1473 Is it designed to encourage users to stay on the site? Yes
1474 or no?

1475 *Mr. Pichai. Content responsibilities are our number

1476 one goal, so that trumps everything.

1477 *The Chairman. I am only asking, very simple, whether
1478 YouTube's recommendation algorithm is designed to encourage
1479 users to stay on the site. Simple question. Yes or no.

1480 *Mr. Pichai. That is not the sole goal, Congressman.
1481 That would definitely --

1482 *The Chairman. So the answer is yes. Okay. So the
1483 bottom line is, simply put, your company's bottom line
1484 compels you to amplify extremist and dangerous content. You
1485 are not bystanders. And what happens online doesn't stay
1486 online. It has real-world consequences. That is why
1487 Congress has to act, because you are not bystanders. You are
1488 encouraging this stuff.

1489 Thank you, Mr. Chairman.

1490 *Mr. Doyle. The gentleman's time is expired.

1491 The chair now recognizes Ms. Rodgers, the full committee
1492 ranking member, for five minutes.

1493 *Ms. Rodgers. We tragically lost a number of young
1494 people to suicide in my community. In a 3-year period from
1495 2013 to 2016, the suicide rate more than doubled in Spokane
1496 County. In the last six months, one high school lost three
1497 teens. Right now suicide is the second leading cause of
1498 death in the entire State of Washington for teens 15 to
1499 19 years old.

1500 As I mentioned, it has led to many painful conversations

1501 trying to find some healing for broken families and
1502 communities. And together we have been asking, what has left
1503 our kids with a deep sense of brokenness? Why do children,
1504 including kids we have lost in middle school, feel so empty
1505 at such a young, vulnerable age?

1506 Well, some studies are confirming what parents in my
1507 community already know: Too much time on screens and social
1508 media is leading to loneliness and despair. And it seems to
1509 be an accepted truth in the tech industry because what we are
1510 hearing today: Making money is more important.

1511 Bill Gates put a cap on screen time for his daughter.
1512 Steve Jobs once said in a quote, "We limit how much
1513 technology our kids use at home.'" Mr. Zuckerberg, you have
1514 also said that your kids -- or you don't want your kids
1515 sitting in front of screens passively consuming content.

1516 So Mr. Zuckerberg, yes or no: Do you agree too much
1517 time in front of screens, passively consuming content, is
1518 harmful to children's mental health?

1519 *Mr. Zuckerberg. Congresswoman, the research that I
1520 have seen on this suggests that if people are using computers
1521 and social --

1522 *Ms. Rodgers. Could you answer yes or no? I am sorry.
1523 Could you use yes or no?

1524 *Mr. Zuckerberg. I don't think that the research is
1525 conclusive on that. But I can summarize what I have learned,

1526 if that is helpful.

1527 *Ms. Rodgers. I will follow up at a later time because
1528 I do know that Facebook has acknowledged that passive
1529 consumption on your platform is leading to people feeling
1530 worse. And you said that going from video to video is not
1531 positive. Yet Facebook is designed to keep people scrolling.
1532 Instagram is designed to get users to go from video to video.

1533 So I would like to ask you if you said earlier that you
1534 don't want kids sitting in front of the screens passively
1535 consuming content, and your products are designed to increase
1536 screen time, do you currently have any limitations on your
1537 own kids' use of your products, or how do you think that will
1538 change as they get older?

1539 *Mr. Zuckerberg. Sure, Congresswoman. My daughters are
1540 5 and 3 and they don't use our products. Actually, that is
1541 not exactly true; my eldest daughter, Max, I let her use
1542 Messenger Kids sometimes to message her cousins. But
1543 overall, the research that we have seen is that using social
1544 apps to connect with other people can have positive mental
1545 health benefits and well-being benefits by helping people
1546 feel more connected and less lonely.

1547 Passively consuming content doesn't have those positive
1548 benefits to well-being but isn't necessarily negative. It
1549 just isn't as positive as connecting. And the way we design
1550 our algorithms is to encourage meaningful social

1551 interactions. So it is a common misconception that our
1552 teams -- our goals, or even have goals, of trying to increase
1553 the amount of time that people spend.

1554 The News Feed team at Facebook and the Instagram team

1555 *Ms. Rodgers. Thank you, Mr. Zuckerberg. I do have a
1556 couple more questions.

1557 So do you agree that your business model and the design
1558 of your products is to get as many people on the platform as
1559 possible and to keep them there for as long as possible? If
1560 you could answer yes or no, that would be great.

1561 *Mr. Zuckerberg. Congressman, from a mission
1562 perspective, we want to serve everyone. But our goal is
1563 not -- we don't -- I don't give our News Feed team or our
1564 Instagram team goals around increasing the amount of time
1565 that people spend. I believe that if we build a useful
1566 product which --

1567 *Ms. Rodgers. Okay. Thank you. Thank you. We all
1568 have limited time. I think the business model suggests that
1569 it is true.

1570 It was mentioned earlier that you are studying
1571 extremism. I would like to ask, yes or no, of all of you,
1572 beginning with Mr. Zuckerberg: Has Facebook conducted any
1573 internal research as to the effect your products are having
1574 on the mental health of our children?

1575 *Mr. Zuckerberg. Congressman, I know that this is

1576 something that we try to study, and I am --

1577 *Ms. Rodgers. Can you say yes or no? I am sorry.

1578 *Mr. Zuckerberg. I believe the answer is yes.

1579 *Ms. Rodgers. Okay. Mr. Doyle, has Twitter?

1580 *Mr. Dorsey. I don't believe so, but we will follow up
1581 with you.

1582 *Ms. Rodgers. Okay. Mr. Pichai, has Google conducted
1583 any research on the effect your products are having on the
1584 mental health of children?

1585 *Mr. Pichai. We consult widely with expert third
1586 parties on this area, including SAMHSA and other mental
1587 health organizations, and invest a lot of time and effort in
1588 this area.

1589 *Ms. Rodgers. Okay. I would like to see that. It
1590 sounds like you have studied extremism. Let's get focused on
1591 our children.

1592 *Mr. Doyle. The gentlelady's time is expired.

1593 The chair now recognizes Mr. Rush for five minutes.
1594 Bobby, you need to unmute. There you go. Nope, you are
1595 still muted.

1596 *Mr. Rush. I want to thank you, Mr. Chairman. We all
1597 agree that social media sites should not be tools for stoking
1598 racial division or exacerbating racial injustice. However,
1599 there is a broad finding of research that demonstrates the
1600 disproportionate effects of disinformation and white

1601 supremacy extremism on women and people of color, especially
1602 black people.

1603 We have seen, and continue to see, that too often social
1604 media sites put their earnings before equality. Simply
1605 stated, your corporations carelessly put profits over people.
1606 Misinformation, outlandish conspiracy theories, and
1607 incendiary content targeting minorities remains firmly, and
1608 social media companies, your companies, are profiting from
1609 hate and racism on these platforms by harnessing data and
1610 generating advertising revenue from such content.

1611 There is only one comparison that remotely approaches
1612 the avarice and moral discrepancy of your companies, and that
1613 is the slavetocracy burden of our Nation's shameful and
1614 inhumane and most difficult dark days in the past.

1615 This is the very reason why I ask Mr. Dorsey, I remember
1616 you at our 2018 hearing to commit to commissioning and
1617 independent third party civil rights audit of Twitter. This
1618 response at the hearing was followed up with a joint letter
1619 from Chairman Pallone and myself confirming that commitment.

1620 It is three years later, and I am still waiting,
1621 Mr. Dorsey, for the results of that audit. Where is that
1622 audit, Mr. Dorsey?

1623 *Mr. Dorsey. Thank you. We have taken another
1624 approach, which is to work with civil rights orgs on a
1625 regular basis. We have regular conversations with civil

1626 rights orgs multiple times a year.

1627 *Mr. Rush. Mr. Dorsey, where is the audit that Members
1628 of Congress, including the chairman of the committee -- where
1629 is the audit that we asked you and you agreed to forward?

1630 *Mr. Dorsey. We don't have it. We sought a different
1631 approach with --

1632 *Mr. Rush. I don't have it, either, and I thought that
1633 you were being very, very disingenuous. As a matter of fact,
1634 I thought that you had lied to the committee and you should
1635 be condemned for that. And I can't wait until we come up
1636 with legislation that will deal with you and your cohorts in
1637 a very, very effective way. This was nothing but an empty
1638 promise that you made.

1639 You haven't taken this issue seriously, and Mr. Dorsey I
1640 as a black man in America, my experiences are different from
1641 your experiences. This audit is very, very important to me
1642 and to those who are similarly situated just as I am.
1643 Facebook, to their credit, has completed an audit. And there
1644 is no reason, simply no reason under the sun, that
1645 corporation as large as yours should not have completed that
1646 audit.

1647 Mr. Dorsey, has Twitter evaluated the disparate impact
1648 from COVID-19 misinformation on the African American
1649 community, and simply has not even attempted to identify
1650 messages to combat COVID-19 misinformation targeted at

1651 African Americans and emphasized reliable, trustworthy
1652 medical information?

1653 *Mr. Dorsey. Yes on both. And we review with civil
1654 rights orgs on a regular basis. That is the solution we
1655 chose.

1656 *Mr. Doyle. The gentleman's time is expired.
1657 The chair now recognizes Mr. Upton for five minutes.

1658 *Mr. Upton. Thank you, Mr. Chairman.

1659 As I listen to this hearing, like it or not, it sounds
1660 like everybody on both sides of the aisle is not very happy.
1661 I think we all believe that there is a lot of responsibility
1662 that should be shared for some of the issues that we have
1663 raised today by the three of you. And I would just offer --
1664 or speculate, I guess you could say -- that we are going to
1665 see some changes in Section 230.

1666 The President, former President Trump, vetoed a pretty
1667 big bill, the defense bill, earlier last year over this very
1668 issue because he wanted the total repeal and he didn't get
1669 it. But I know that the Senate now has got some legislation
1670 that is pending that is looking at a couple reforms. And my
1671 sense is that we may see something here in the near future as
1672 well.

1673 I serve as one of only two House members on the
1674 Commission on Combating Synthetic Opioid Trafficking. It is
1675 a multi-Federal agency. It is co-chaired by David Trone in

1676 the House and Tom Cotton in the Senate. And there is a lot
1677 of concern that we all have, not only as parents but as
1678 community leaders across the country, on opioids and the
1679 inability to remove illegal offers of opioids, steroids, even
1680 fake COVID-19 vaccines. Very troubling, I think, as we see
1681 some of these platforms push such content to a user in real
1682 search of it.

1683 So I guess my first question is to you, Mr. Zuckerberg.
1684 The sale of illegal drugs on your platform does violate your
1685 policy, yet it does remain a problem on your platforms. Can
1686 you explain the resources that you currently have devoted to
1687 addressing the issue and whether or not you plan to develop
1688 more? And this is an issue that I intend to raise with the
1689 Commission as we look forward to this in the next number of
1690 months.

1691 *Mr. Zuckerberg. Thanks, Congressman. I think this is
1692 an important area and a good question. We have more than a
1693 thousand engineers who work on our what we call integrity
1694 systems that basically are AI systems that try to help find
1695 content that violates our policies. You are right that that
1696 content does violate our policies. And we also have more
1697 than 35,000 people who work in content review who basically
1698 are either responding to flags that they get from the
1699 community or checking things that our AI systems flag for
1700 them but are unsure about.

1701 And this is an area -- and when we are talking about
1702 reforming Section 230 -- where I think it would be reasonable
1703 to expect that large platforms, especially, build effective
1704 systems to be able to combat and fight this kind of clearly
1705 illegal content. I think that there will be a lot of ongoing
1706 debate about how to handle content which people find
1707 distasteful or maybe harmful but is legal. But in this case,
1708 when the content is illegal, I think it is pretty reasonable
1709 to expect that large platforms build effective systems for
1710 moderating this.

1711 *Mr. Upton. So we saw earlier this week -- of course,
1712 we don't know all the facts on this terrible shooting in
1713 Boulder, Colorado. It appears, at least some of the initial
1714 reports, that the alleged shooter was in fact bullied, and I
1715 think I saw some press reports that some of it had happened
1716 online as well.

1717 What process do you have that would allow parents or
1718 families to be able to pursue anti-bullying efforts that
1719 might be on your platforms?

1720 *Mr. Zuckerberg. Thanks, Congressman. I think bullying
1721 is a really important case to consider for Section 230
1722 because, first of all, it is horrible, and we need to fight
1723 it, and we have policies that are against it. But it also is
1724 often the case that bullying content is not clearly illegal.

1725 So when we talk about needing the ability under

1726 something like Section 230 to be able to moderate content
1727 which is not only clearly illegal content but broader, one of
1728 the primary examples that we have in mind is making sure that
1729 we can stop people from bullying children. And here we work
1730 with a number of advocacy groups. We work with law
1731 enforcement to help fight this. This is a huge effort and
1732 part of what we do, and I think it is extremely important.

1733 *Mr. Upton. And other than taking the approach that you
1734 don't want to see any changes to 230, what suggestions might
1735 you have for us as we examine this issue?

1736 *Mr. Zuckerberg. Sorry, Congressman. I am not saying
1737 that I don't think that there should be changes. I am saying
1738 that I think 230 still broadly is important, so I wouldn't
1739 repeal the whole thing.

1740 But the three changes that I have basically suggested
1741 are -- one is around transparency, that large platforms
1742 should have to report on a regular cadence, for each category
1743 of harmful content, how much of that harmful content they are
1744 finding and how effective their systems are at dealing with
1745 it.

1746 The second thing I think that we should do is hold large
1747 platforms to a standard where they should have effective
1748 systems for handling clearly illegal content, like opioids or
1749 child exploitation or things like that.

1750 And the threshold thing that I think is an important

1751 principle is that these policies really do need to apply more
1752 to large platforms. And I think we need to find a way to
1753 exempt small platforms so that way -- when I was getting
1754 started with Facebook, if we had gotten hit with a lot of
1755 lawsuits around content, it might have been prohibitive for
1756 me to get started. And I think none of us here want to see
1757 the next set of platforms from being stopped from kind of
1758 being able to get started and grow.

1759 *Mr. Doyle. The gentleman's time is expired.

1760 The chair now recognizes Ms. Eshoo.

1761 *Ms. Eshoo. Am I unmuted? Thank you, Mr. Chairman.

1762 And good morning -- well, it is still -- we are Californians,
1763 so it is good morning for us.

1764 I want to start by saying that content moderation, like
1765 removing posts or banning accounts, is about treating
1766 symptoms. And I think that we need to treat symptoms, but I
1767 also think that we need to address two underlying diseases.
1768 The first is that your products amplify extremism. The
1769 second is that your business models of targeted ads enable
1770 misinformation to thrive because you chase user engagement at
1771 great cost to our society.

1772 So to Mr. Pichai, last month the Anti-Defamation League
1773 found that YouTube amplifies extremism. Scores of
1774 journalists and researchers agree. And here is what they say
1775 happens: A user watching an extremist video is often

1776 recommended more such videos, slowly radicalizing the user.
1777 YouTube is not doing enough to address recommendations, and
1778 it is why Representative Malinowski and myself introduced the
1779 Protecting Americans from Dangerous Algorithms Act to
1780 narrowly amend Section 230 so courts can examine the role of
1781 algorithmic amplification that leads to violence.

1782 And it is also why I, along with 40 of my House
1783 colleagues, wrote to each of you about this issue. And
1784 Mr. Chairman, I ask that those letters be placed into the
1785 record.

1786 [The letters to Mr. Pichai referred to follow:]

1787

1788 *****COMMITTEE INSERT*****

1789

1790 *Ms. Eshoo. So my question to you, Mr. Pichai, is: Are
1791 you willing to overhaul YouTube's core recommendation engine
1792 to correct this issue? Yes or no?

1793 *Mr. Pichai. Congresswoman, we have overhauled our
1794 recommendation systems, and I know you have engaged on these
1795 issues before, pretty substantially in pretty much any area.

1796 *Ms. Eshoo. Now, Mr. Pichai, yes or no, because we
1797 still have a huge problem. And I outlined what they -- are
1798 you saying that the Anti-Defamation League doesn't know what
1799 they are talking about? All these journalists and
1800 researchers? There is a lot more to address. And that is
1801 why I am asking you if you are willing to overhaul YouTube's
1802 core recommendation engine to correct this. It is serious.
1803 It is dangerous. What more can I say about it? Yes or no?

1804 *Mr. Pichai. Congresswoman, if I may explain, we have -
1805 -

1806 *Ms. Eshoo. No. I don't have time to explain. So we -
1807 - let me just say this to the witnesses. We don't do
1808 filibuster in the House. That is something that is done in
1809 the Senate. So a filibuster doesn't work with us.

1810 To Mr. Zuckerberg, your algorithms use unseemly amounts
1811 of data to keep users on your platform because that leads to
1812 more ad revenue. Now, businesses are in business to make
1813 money. We all understand that. But your model has a cost to
1814 society. The most engaging posts are often those that induce

1815 fear, anxiety, anger, and that includes deadly, deadly
1816 misinformation.

1817 The Center for Countering Digital Hate found that the
1818 "Explore" and "Suggested Posts" parts of Instagram are
1819 littered with COVID misinformation, election disinformation,
1820 and QAnon posts. So this is dangerous, and it is why
1821 Representative Schakowsky and I are doing a bill that is
1822 going to ban this business model of surveillance advertising.

1823 So are you willing to redesign your products to
1824 eliminate your focus on addicting users to your platforms at
1825 all costs? Yes or no?

1826 *Mr. Zuckerberg. Congresswoman, as I said before, the
1827 teams that design our algorithm --

1828 *Ms. Eshoo. Never mind. I think -- let me just say
1829 this, and I think it is irritating all of us, and that is
1830 that no one seems to know the word "yes" or the word "no."
1831 Which one is it? If you don't want to answer, just say, "I
1832 don't want to answer." So yes or no?

1833 *Mr. Zuckerberg. Congressman, these are nuanced issues
1834 and --

1835 *Ms. Eshoo. Okay. So I am going to say that is a no.

1836 To Mr. Doyle, as chairwoman of the Health Subcommittee,
1837 I think that you need to eliminate all COVID misinformation
1838 and not label or reduce its spread but remove it. I looked
1839 at a tweet this morning. Robert Kennedy, Jr. links the death

1840 of baseball legend Hank Aaron to the COVID vaccine even
1841 though fact-checkers debunked the story. The tweet has 9,000
1842 retweets.

1843 Will you take this down, and why haven't you? And also,
1844 why haven't you banned the 12 accounts that are spewing its
1845 deadly COVID misinformation? This could cost lives.

1846 *Mr. Dorsey. No, we won't take it down because it
1847 didn't violate our policy. So we have a clear policy in
1848 place --

1849 *Ms. Eshoo. What kind of policy is that? Is it a
1850 policy for misinformation?

1851 *Mr. Dorsey. No.

1852 *Mr. Doyle. The gentlelady's time is expired.

1853 The chair recognizes Mr. Scalise. Is Mr. Scalise here?

1854 *Mr. Scalise. Thank you.

1855 *Mr. Doyle. Ah, there we go.

1856 *Mr. Scalise. Yes. Thank you, Mr. Chairman. I want to
1857 thank you for having this hearing. I want to thank our three
1858 witnesses for coming as well. Clearly, you are seeing a lot
1859 of concern being expressed by members on both sides, both
1860 Republican and Democrat, about the way that your social media
1861 platforms are run, and especially as it relates to the
1862 fairness and equal treatment of people.

1863 I know I have had a lot of concerns; shared it with some
1864 of you individually over the last few years about whether it

1865 is algorithms that seem to be designed sometimes to have an
1866 anti-bias against conservatives. But look, we all agree that
1867 whether it is illegal activity, bullying, those things ought
1868 not to be permeated through social media.

1869 There is a big difference between stopping bullying and
1870 violent type of social media posts versus actual censorship
1871 of political views that you disagree with. And I want to ask
1872 my first question to Mr. Dorsey because there have been a lot
1873 of concerns expressed recently about that unequal treatment.
1874 And I will just start with the New York Post article.

1875 I think a lot of people have seen this. This article
1876 was censored by Twitter when it was originally sent out.
1877 This is the New York Post, which is a newspaper that goes
1878 back to 1801, founded by Alexander Hamilton. And for weeks,
1879 this very credibly sourced article, right before an election,
1880 about Hunter Biden was banned by Twitter.

1881 And then when you contrast that, you have this
1882 Washington Post article that was designed to mis-portray a
1883 conversation between President Trump and the Georgia
1884 secretary of state that has since been -- parts of this have
1885 been debunked. And yet this article can still be tweeted
1886 out.

1887 I want to ask Mr. Dorsey, first of all, do you recognize
1888 that there is this real concern that there is an anti-
1889 conservative bias on Twitter's behalf? And would you

1890 recognize that this has to stop if this has going to be --
1891 Twitter is going to be viewed by both sides as a place where
1892 everybody is going to get a fair treatment?

1893 *Mr. Dorsey. We made a total mistake with the New York
1894 Post. We corrected that within 24 hours. It was not to do
1895 with the content. It was to do with the hacked materials
1896 policy. We had an incorrect interpretation. we don't write
1897 policy according to any particular political leaning. If we
1898 find any of it, we rout it out.

1899 *Mr. Scalise. So we are regarding the Washington post -
1900 -

1901 *Mr. Dorsey. We will make mistakes. We will make
1902 mistakes, and our goal is to correct them as quickly as
1903 possible. And in that case, we did.

1904 *Mr. Scalise. And I appreciate you recognizing that was
1905 a mistake. However, the New York Post's entire Twitter
1906 account was blocked for about two weeks where they couldn't
1907 send anything out, not just that article. And to censor --
1908 we have got a First Amendment, too. It just seems like to
1909 censor a newspaper that is as highly respected as the New
1910 York Post -- again, 1801, founded by Alexander Hamilton --
1911 for their entire account to be blocked for two weeks by a
1912 mistake seems like a really big mistake.

1913 Was anyone held accountable in your censoring department
1914 for that mistake?

1915 *Mr. Dorsey. Well, we don't have a censoring
1916 department. But I agree. Like it --

1917 *Mr. Scalise. Well, who made the decision, then, to
1918 block their account for two weeks?

1919 *Mr. Dorsey. We didn't block their accounts for two
1920 weeks. We required them to delete the tweet and then they
1921 could tweet it again. They didn't take that action, so we
1922 corrected it for them. That was --

1923 *Mr. Scalise. Even though the tweet was accurate. I
1924 mean, are you now -- look. You have seen the conversations
1925 on both sides about Section 230, and there is going to be
1926 more discussion about it. But you are acting as a publisher
1927 if you are telling a newspaper that they have got to delete
1928 something in order for them to be able to participate in your
1929 account.

1930 I mean, don't you recognize that that -- you are no
1931 longer hosting a town square. You are acting as a publisher
1932 when you do that.

1933 *Mr. Dorsey. It was literally just a process, sir.
1934 This was not against them in any particular way. We
1935 require -- if we remove a violation, we require people to
1936 correct it. We changed that based on their not wanting to
1937 delete that tweet, which I completely agree with. I see it.
1938 But it is something we learned. We learned to --

1939 *Mr. Scalise. Okay. Well, let me go to the New York --

1940 now let me go to the Washington Post article because this
1941 article can still be tweeted. I don't know if it was ever
1942 taken down. It contains false information. Even the
1943 Washington Post acknowledges that it contains false
1944 information. Yet their tweets today on your service that
1945 still mischaracterize it in a way where even the Washington
1946 Post admitted it is wrong, yet those mischaracterizations can
1947 still be retweeted.

1948 Will you address that and start taking those down to
1949 reflect what even the Washington Post themselves has admitted
1950 is false information?

1951 *Mr. Dorsey. Our misleading information policies are
1952 focused on manipulated media, public health, and civic
1953 integrity. That is it. We don't have a general --

1954 *Mr. Scalise. I would hope that you would go and take
1955 that down. And look. I know you said in your opening
1956 statement, Mr. Dorsey, that Twitter is running a business,
1957 and you said, "A business wants to grow the customers it
1958 serves.'" Just recognize if you become viewed and continue
1959 to become viewed as an anti-conservatively biased platform,
1960 there will be other people that step up to compete and
1961 ultimately take millions of people from Twitter. I would
1962 hope you recognize that.

1963 And I would yield back the balance of my time.

1964 *Mr. Doyle. The gentleman's time is expired.

1965 The chair now recognizes Mr. Butterfield for five
1966 minutes.

1967 *Mr. Butterfield. Thank you, Mr. Chairman.

1968 Mr. Zuckerberg, last year in response to the police
1969 killing of George Floyd, you wrote a post on your Facebook
1970 page that denounced racial bias. It proclaimed, "Black Lives
1971 Matter.'" You also announced that the company would donate
1972 \$10 million to racial justice organizations.

1973 And Mr. Dorsey, Twitter changed its official bio to a
1974 Black Lives Matter tribute, and you pledged \$3 million to an
1975 anti-racism organization started by Colin Kaepernick. And
1976 Mr. Pichai, your company held a company-wide moment of
1977 silence to honor George Floyd, and you announced \$12 million
1978 in grants to racial justice organizations.

1979 The CEO of Google subsidiary YouTube wrote in a blog
1980 post, "We believe Black Lives Matter and we all need to do
1981 more to dismantle systematic racism.'" YouTube also
1982 announced it would start a \$100 million fund for black
1983 creators.

1984 Now, all of this sounds nice. But there pronouncements,
1985 gentlemen, these pronouncements and money donations do not
1986 address the way your companies' own products, Facebook,
1987 Twitter, and YouTube, have been successfully weaponized by
1988 racists and are being used to undermine social justice
1989 movements, to suppress voting in communities of color, and

1990 spread racist content and lies.

1991 And so, gentlemen, in my view -- in my view your
1992 companies have contributed to the spread of race-based
1993 extremism and voter suppression. As the New York Times noted
1994 last year, "It is as if the heads of MacDonald's, Burger
1995 King, and Taco Bell all got together to fight obesity by
1996 donating to a vegan food co-op rather than lowering their
1997 calories.''

1998 Gentlemen, you could have made meaningful changes within
1999 your organizations to address the racial biases built into
2000 your products and donated to these organizations. But
2001 instead, we are left with platitudes and another round of
2002 passing the buck.

2003 America is watching you today. This is a moment that
2004 begins a transformation of the way you do business, and you
2005 must understand that. Perhaps a lack of diversity within
2006 your organizations has contributed to these failures. The
2007 Congressional Black Caucus's Tech 2025 initiative has been
2008 working for years to increase diversity and equity in tech
2009 companies at all levels, and you know that because we have
2010 visited with you in California.

2011 We founded this initiative in 2015 with the hope that by
2012 now, the tech workforce would reflect the diversity of our
2013 country. Here we are, 2021. I acknowledge that you have
2014 made some modest advancements, but enough. There must be

2015 meaningful representation in your companies to design your
2016 products and services in ways that work for all Americans.

2017 And that requires public accountability. History has
2018 shown that you have talked the talk but have failed to walk
2019 the walk. It appears now that Congress will have to compel
2020 you -- compel you, perhaps with penalties -- to make
2021 meaningful changes. And I am going to try the yes or no
2022 answer, and hopefully I will have better results than my
2023 colleagues.

2024 Mr. Zuckerberg, I will start with you, and please be
2025 brief. Yes or no: Would you oppose legislation that would
2026 require technology companies to publicly report on workforce
2027 diversity at all levels?

2028 *Mr. Zuckerberg. Congressman, I don't think so, but I
2029 need to understand it in more detail.

2030 *Mr. Butterfield. Well, we will talk about that. And I
2031 hope that if we introduce this legislation, you will not
2032 oppose it.

2033 What about you, Mr. Dorsey? Would you oppose a law that
2034 made workforce diversity reporting a requirement?

2035 *Mr. Dorsey. No, I wouldn't oppose it. It does come
2036 with some complications in that we don't always have all the
2037 demographic data for our employees.

2038 *Mr. Butterfield. Well, thank you for that, and we
2039 talked with you in your office some years ago and you made a

2040 commitment to work with us, but we need more.

2041 What about you, Mr. Pichai? Are you willing to
2042 support -- would you be willing to commit to -- would you
2043 oppose a law that made workforce diversity reporting a
2044 requirement? Would you oppose it?

2045 *Mr. Pichai. Congressman, we were the first company to
2046 publish transparency reports. We publish it annually. And
2047 so happy to share that with you and take any feedback. But
2048 we do today provide, in the U.S., detailed demographic
2049 information on our workforce, and we are committed to doing
2050 better.

2051 *Mr. Butterfield. Well, gentlemen, for last six years,
2052 the Congressional Black Caucus has said to you over and over
2053 again, we need greater diversity among your workforce from
2054 the top to the bottom, and we need for you to publish the
2055 data so the world can see it. That is the only way we are
2056 going to deal with diversity and equity.

2057 Thank you so very much, Mr. Chairman. I heard you at
2058 the beginning of the committee gavel, and I yield back the
2059 10 seconds that I have.

2060 *Mr. Doyle. The gentleman deserves commendation for
2061 doing that, and I hope others follow his example.

2062 The chair now recognizes Mr. Guthrie for five minutes.

2063 *Mr. Guthrie. Thank you, Mr. Chair, and thanks to the
2064 witnesses for being here.

2065 And Big Tech decisions have real impact on people, and
2066 that is why I ask my constituents, using your platforms, to
2067 share their experiences on your platforms with me as their
2068 representative. And I am here to advocate on their behalf.
2069 I received 450 responses, and one major thing that I heard
2070 from my constituents was the experience they have had with
2071 sites taking down religious content, which is important
2072 because a lot of religious organizations are now streaming
2073 their services due to COVID.

2074 I did have one instance where a constituent wrote to
2075 me -- and this is what she posted -- "I am thankful God's
2076 grace is new every morning.'" And then Facebook took it
2077 down, and then my constituent said she got a notice from
2078 Facebook that it violated their policies around hate.

2079 And so I just want to discuss about this. I can ask you
2080 yes or no questions, Mr. Zuckerberg, on that, but I just want
2081 to talk about it a little bit. One is, it seems, I know that
2082 we don't want extreme language on the internet. I am with
2083 you on that. And you cannot watch everything. And so you
2084 use algorithms to find that, so algorithms will flag things,
2085 some that are clearly obvious and some that you would say
2086 probably shouldn't have been flagged.

2087 But it seems to me that it seems to be biased in that
2088 direction. And so instead of just giving you a yes or no
2089 question, I want to read that quote again. And I sort of

2090 know a little bit about math, not a lot but a little bit,
2091 about within that quote, what in there would get tripped up,
2092 with this quote get tripped up and put into the flagged
2093 category?

2094 And as it says, "I am thankful God's grace is new every
2095 morning.'" And so I guess the question is what word or
2096 thought do you think would trip an algorithm for that quote,
2097 Mr. Zuckerberg?

2098 *Mr. Zuckerberg. Congressman, it is not clear to me why
2099 that post would be a problem. I would need to look into it
2100 in more detail. Sometimes the systems look at patterns of
2101 posting, so if someone is posting a lot, then maybe our
2102 system thinks it is spam. But I would need to look into it
2103 in more detail.

2104 Overall, the reality is that any system is going to make
2105 mistakes. There is going to be content that we take down
2106 that we should have left up, and there is going to be content
2107 that we missed that we should have taken down that we didn't
2108 catch or that the system has made mistake on. And at scale,
2109 unfortunately, those mistakes can be a large number even if
2110 it is a very small percent.

2111 But that is why, when we are talking about things like
2112 Section 230 reform, I think it is reasonable to expect large
2113 companies to have effective moderation systems, but not
2114 reasonable to expect that there are never any errors. But I

2115 think that transparency can help hold the companies
2116 accountable as to what accuracy and effectiveness they are
2117 achieving.

2118 *Mr. Guthrie. Okay. Then, well, to your spam comment,
2119 I think they did receive a notify it was for the hate policy.
2120 And I understand there are going to be grey areas, whatever.
2121 But that quote, I don't see where the grey area is as to how
2122 it could get caught up in that.

2123 *Mr. Zuckerberg. I agree.

2124 *Mr. Guthrie. But I want to move on. Thanks for your
2125 answer with that. I want to move on.

2126 So Mr. Dorsey, I want to talk about the RFK, Jr. I
2127 didn't see that quote, but you said that didn't violate your
2128 policy. And just in the context of that, I know CDC just
2129 recently updated its school guidance to make clear science
2130 says you can be three feet away and still be safe in schools.
2131 The issue -- things are changing every day because we are
2132 learning more and more about this virus.

2133 So how did the RFK comment not violate your policy, RFK,
2134 Jr.? And how did -- we have an RFK III that we all -- and
2135 JFK and JPK III I guess we all like as a former colleague.
2136 But RFK, Jr., and the policy towards that. And then how do
2137 you keep up with what's changing so quickly, Mr. Dorsey?

2138 *Mr. Dorsey. We can follow up with you on the exact
2139 reasoning. But we have to recognize that our policies evolve

2140 constantly and they have to evolve constantly. So as has
2141 been said earlier in this testimony, we observe what is
2142 happening as a result of our policy. We have got to
2143 understand the ramifications. And we improve it. And it is
2144 a constant cycle. We are always looking to improve our
2145 policies and our enforcement.

2146 *Mr. Guthrie. So Mr. Zuckerberg, Mr. Pichai, just on
2147 all that continuously evolving information on COVID because
2148 we are learning more and more about it, how do you keep up?
2149 We only have about 30 seconds, so if you could -- quick
2150 answers for each of you, if you can. Mr. Pichai, maybe,
2151 since you haven't answered a question?

2152 *Mr. Pichai. Yes. On COVID, we have been really taking
2153 guidance from CDC and other health experts, proactively
2154 removing information. One thing we get to do in YouTube is
2155 to recommend higher quality content. We have shown
2156 400 billion information panels on COVID alone last year,
2157 including a lot from CDC and other health organizations.

2158 *Mr. Guthrie. Okay. Thank you, and I will yield back
2159 four seconds, Mr. Chair.

2160 *Mr. Doyle. Thank you, Mr. Guthrie.

2161 The chair now recognizes Ms. Matsui for five minutes.

2162 *Ms. Matsui. Thank you very much, Mr. Chairman, for
2163 having this hearing today.

2164 Today we have another opportunity, hearing from the

2165 leaders of Facebook, Twitter, and Google, in what has become
2166 a concerning pattern. The members of this committee are here
2167 to demand answers to questions about social media's role in
2168 escalating misinformation, extremism, and violence.

2169 Last week I testified at a House Judiciary Committee
2170 hearing about the rise in discrimination and violence against
2171 Asian Americans. Horrifically, that hearing came on the
2172 heels of a violent attack in Atlanta that left eight people,
2173 six of them Asian women, dead.

2174 The issues we are discussing here are not abstract.
2175 They have real-world consequences and implementations that
2176 are too often measured in human lives. I am worried, as are
2177 many watching this hearing, that the companies before us
2178 today are not doing enough to prevent the spread of hate,
2179 especially when it is targeted against minority communities.
2180 Clearly the current approach is not working, and I think
2181 Congress must revisit Section 230.

2182 A recent study from the University of San Francisco
2183 examined nearly 700,000 tweets in the week before and after
2184 President Trump tweeted the phrase "Chinese virus.'" The
2185 results showed two alarming trends: There was a
2186 significantly greater increase in hate speech the week after
2187 the President's tweet, and that half of the tweets used in
2188 the hashtag #chinavirus showed an anti-Asian sentiment
2189 compared to just one-fifth of the tweets using the hashtag

2190 #covid19.

2191 This empirical evidence backs up what the World Health
2192 Organization already knew in 2015, saying, "Disease names
2193 really do matter. We have seen certain disease names provoke
2194 a backlash against members of particularly religious or
2195 ethnic communities.'" Despite this, Facebook and Twitter are
2196 still allowing hashtags like #chinavirus, #kungflu, and
2197 #wuhanvirus to spread.

2198 Mr. Zuckerberg and Mr. Dorsey, given the clear
2199 association between this type of language and racism or
2200 violence, why do you still allow these hashtags on your
2201 platforms? Anyone answer that, or is that not answerable?

2202 *Mr. Dorsey. I think we were waiting for you to call on
2203 one of us. We do have policies against hateful conduct, and
2204 that includes the trends, so when we see associated with any
2205 hateful conduct, we will take action on it. It is useful to
2206 remember that a lot of these hashtags, though, do contain
2207 counter-speech, and people on the other side of it do own
2208 them and show why this is so terrible and why it needs to --

2209 *Ms. Matsui. Can I just take my time back? The fact of
2210 the matter is I think you know how to develop algorithms to
2211 kind of get rid of this and examine this further.

2212 Mr. Zuckerberg, any comment here?

2213 *Mr. Zuckerberg. Thanks, Congresswoman. The rise in
2214 anti-Asian hate is a really big issue and something that I do

2215 think that we need to be proactive about. I agree with the
2216 comments that Jack made on this. On Facebook, any of that
2217 context, if it is combined with something that is clearly
2218 hateful, we will take that down. It violates the hate speech
2219 policy.

2220 But one of the nuances that Jack highlighted that we
2221 certainly see as well in enforcing hate speech policy is that
2222 we need to be clear about when someone is saying something
2223 because they are using it in a hateful way versus when they
2224 are denouncing it. And this is one of the things that has
2225 made it more difficult to operationalize this at scale.

2226 *Ms. Matsui. Well, reclaiming my time, I think this
2227 gives us an opportunity to really look at hate speech, what
2228 it really means, particularly in this day and age when we
2229 have many instances of these things happening. Hate speech
2230 on social media can be baked in, and unfortunately, this also
2231 is a trend that maybe happened years and years ago, which it
2232 might have just been a latent situation.

2233 But with social media, it travels all around the world
2234 and it hurts a lot of people. And my feeling, and I believe
2235 a lot of other people's feeling, is that we really have to
2236 look at how we define hate speech. And you all are very
2237 brilliant people and you hire brilliant people. I would
2238 think that there is a way for you to examine this further and
2239 take it one step lower to see if it is something that is

2240 legitimate or not.

2241 And I really feel that this is a time, especially now
2242 when we are examining platforms and what you can do and
2243 should do, and as we are examining here in this committee and
2244 as we write legislation, we really want to have the entire
2245 multitude of what can and can't be done.

2246 So with that, Mr. Chairman, I only have 11 seconds left,
2247 and I yield back. Thank you.

2248 *Mr. Doyle. Thank you. The gentlelady yields back.

2249 Let's see. The chair now recognizes Mr. Kinzinger for
2250 five minutes.

2251 *Mr. Kinzinger. Thank you, Mr. Chairman, and thank you
2252 all for being here. In all this conversation it is good to
2253 have, I think we also have to recognize that we need to -- we
2254 are lucky to have all these companies located in the United
2255 States. When we talked about the issues and concerns, for
2256 instance, with TikTok, we can see that a lot of these
2257 companies could easily leave here and go elsewhere and then
2258 we would have far less oversight.

2259 I think the crackdown on January 6 was correct. I think
2260 we need to be careful to not use that as a way to deflect
2261 from what led to January 6th, the pushing of this narrative
2262 of Stop the Steal. I think there are folks that are
2263 concerned, though, that we also need to make sure that those
2264 same levels of protection exist when you talk about like

2265 Iran, for instance, and what the leaders there tweet. But
2266 let me go into specific questions.

2267 Over the years we have obviously seen the rise of
2268 disinformation. It is not new; I remember getting
2269 disinformation in the 1990s. But we have seen it spread on
2270 these platforms. So we live in a digital world where many
2271 people get their news and entertainment from the internet,
2272 from articles and posts that are often based off algorithms
2273 that can cater to what people see and read.

2274 So those constant News Feeds have simply reinforced
2275 people's beliefs, or worse, that they can promote disgraceful
2276 and utterly ridiculous conspiracy theories from groups like
2277 QAnon. Extremism and violence have grown exponentially as a
2278 result, and we know it is true specifically after January 6.

2279 So Mr. Zuckerberg, let me ask you: According to Hany
2280 Farid at Berkeley, numerous external studies and some of
2281 your own internal studies have revealed that your algorithms
2282 are actively promoting divisive, hateful, and conspiratorial
2283 content because it engages users to spend more time.

2284 Do you think those studies are wrong? And if not, what
2285 are you guys doing to reverse course on that?

2286 *Mr. Zuckerberg. Sure. Thank you, Congressman. This
2287 is an important set of topics.

2288 In terms of groups, we stopped recommending all civic
2289 and political groups even though I think a lot of the civic

2290 and political groups are healthy, because we were seeing that
2291 that was one vector that there might be polarization or
2292 extremism, and groups might start off with one set of views
2293 but migrate to another place. So we have removed that
2294 completely. And we did it first as an exceptional measure
2295 during the election; and since the election, we have
2296 announced that we are going to extend that policy
2297 indefinitely.

2298 For the rest of the content in News Feed and on
2299 Instagram, the main thing that I would say is I do think that
2300 there is quite a bit of misperception about how our
2301 algorithms work and what we optimize for. I have heard a lot
2302 of people say that we are optimizing for keeping people on
2303 the service.

2304 The way that we view this is that we are trying to help
2305 people have meaningful social interactions. People come to
2306 social networks to be able to connect with people. If we
2307 deliver that value, then it will be natural that people use
2308 our services more. But that is very different from setting
2309 up algorithms in order to just kind of try to tweak and
2310 optimize and get people to spend every last minute on our
2311 service, which is not how we designed the company or the
2312 services.

2313 *Mr. Kinzinger. Thanks. I don't mean to interrupt you.
2314 I do have another question.

2315 Mr. Chairman, I want to ask unanimous consent to insert
2316 for the record an article from the Wall Street Journal
2317 titled, "Facebook Executives Shut Down Efforts to Make the
2318 Site Less Divisive.''

2319 [The Wall Street Journal article follows:]

2320

2321 *****COMMITTEE INSERT*****

2322

2323 *Mr. Kinzinger. Let me move on to the next one. For
2324 years I have called for increased consumer protection from
2325 companies on fake accounts and bad actors who use them to
2326 exploit others. This issue affected me personally; in 2015,
2327 a woman from India spent all of her money on a flight to come
2328 see me because she claimed to have developed a relationship
2329 with me over Facebook.

2330 In 2019 I sent you, Mr. Zuckerberg, a letter
2331 highlighting the issue, and your team provided a relatively
2332 inadequate response. Since then, I have introduced two
2333 pieces of legislation, Social Media Accountability and
2334 Account Verification Act, and the Social Media Fraud
2335 Mitigation Act, both of which aimed to curb this activity.

2336 So Mr. Zuckerberg, the last time you came before us, you
2337 stated that Facebook has a responsibility to protect its
2338 users. Do you feel that your company is living up to that?
2339 And further, what have you done to remove those fake
2340 accounts?

2341 *Mr. Zuckerberg. Thanks. So fake accounts are one of
2342 the bigger integrity issues that we face. I think in the
2343 first half of -- well, in the last half of last year, we took
2344 down more than a billion fake accounts, just to give you a
2345 sense of the volume, although most of those our systems are
2346 able to identify within seconds or minutes of them signing up
2347 because the accounts just don't behave in a way that a normal

2348 person would in using the service.

2349 But this is certainly one of the highest priority issues
2350 we have. We see a large prevalence of it. Our systems, I
2351 think, at this point are pretty effective in fighting it, but
2352 they are not perfect, and there are still a few percent that
2353 get through. And it is a big issue and one we will continue
2354 working on.

2355 *Mr. Kinzinger. Thank you. I would love to ask the
2356 rest -- the others a question, but I don't have time. So I
2357 yield back, Mr. Chairman. Thank you for your attention.

2358 *Mr. Doyle. I thank the gentleman.

2359 The chair now recognizes Ms. Castor for five minutes.

2360 *Ms. Castor. Well, thank you, Mr. Chairman.

2361 Gentlemen, since you were last here in front of the
2362 committee, the illegal activities, the expanse of unwitting
2363 Americans, the rampant misinformation on your platforms, have
2364 gotten worse. Part of the reason for this toxic stew is that
2365 you employ manipulative methods to keep people cemented to
2366 the platform, often amplifying discord. And it boosts your
2367 bottom line. You enjoy an outdated liability shield that
2368 incentivizes you to look the other way or take half measures
2369 while you make billions at the expense of our kids, our
2370 health, the truth, and now we have seen the very foundation
2371 of our democracy.

2372 I have been working for over a year with advocates and

2373 other members on an update to the children's protections
2374 online. You all know the tracking and manipulation of
2375 children under age 13 is against the law, but Facebook,
2376 Google, YouTube, and other platforms have broken that law or
2377 have found ways around it. Many half been sanctioned for
2378 knowingly and illegally harvesting personal information of
2379 children and profiting from it.

2380 I have a question for each of you, just a quick yes or
2381 no: Did you all watch "The Social Dilemma," where former
2382 employees or yours or other Big Tech platforms say they do
2383 not allow their kids on social media? Mr. Zuckerberg?

2384 *Mr. Zuckerberg. Congresswoman, I haven't seen it --

2385 *Ms. Castor. Yes or --

2386 *Mr. Zuckerberg. -- but I am obviously familiar with
2387 it.

2388 *Ms. Castor. Okay. Mr. Pichai? Yes or no?

2389 *Mr. Pichai. Yes. I have seen the movie.

2390 *Ms. Castor. And --

2391 *Mr. Dorsey. No. No.

2392 *Ms. Castor. Okay. Well, Mr. Zuckerberg, there is a
2393 good reason that they have the former execs say that. Are
2394 you aware of the 2019 Journal of the American Medical
2395 Association pediatric study that the risk of depression for
2396 adolescents rises with each daily hour spent on social media?
2397 And I am not talking screen time. I am not talking about

2398 Facetime or sending text messages to friends. But are you
2399 aware of that research?

2400 *Mr. Zuckerberg. Congresswoman, I am not aware of that
2401 research.

2402 *Ms. Castor. All right. What about the 2019 HHS
2403 research that suicide rates among kids aged 10 to 14
2404 increased by 56 percent between 2007 and 2017 and tripled --
2405 tripled -- for kids between the age of 10 and 14? Yes or no?

2406 *Mr. Zuckerberg. Congresswoman, I am aware of the
2407 issue --

2408 *Ms. Castor. Yes. So yes. Certainly you are also
2409 aware of the research that indicates a correlation between
2410 the rise in hospital admissions for self-harm and the
2411 prevalence of social media on phones and the apps on
2412 platforms that are designed to be addictive and keep kids
2413 hooked. Yes?

2414 [No response.]

2415 *Ms. Castor. Well, how about you, Mr. Pichai? Are you
2416 aware of the JAMA pediatric September 2020 study where they
2417 tested hundreds of apps used by children aged 5 and under,
2418 many of which were in the Google Play Store's family section?
2419 The study found 67 percent of the apps tested showed
2420 transmission of identifying info to third parties in
2421 violation of the COPPA law? Are you familiar?

2422 *Mr. Pichai. Extensively spent time on this area. We

2423 introduced a curated set of apps on the Play Store. We give
2424 digital well-being tools so that people can take a break, set
2425 time patterns, can set time limits for children. So the
2426 concept of --

2427 *Ms. Castor. Let me ask you this, then, Mr. Pichai.
2428 How much are you making in advertising revenue from children
2429 under the age 13?

2430 *Mr. Pichai. Most of our products other than a specific
2431 product designed for kids, YouTube -- most of our products
2432 are not eligible for children under the age of 13.

2433 *Ms. Castor. Yes. So you are not going to provide
2434 that.

2435 Mr. Zuckerberg, how much advertising revenue does
2436 Facebook -- do you make from behavioral surveillance
2437 advertising targeted towards kids under age 13?

2438 *Mr. Zuckerberg. Congresswoman, it should be none of
2439 it. We don't allow children under the age of 13 --

2440 *Ms. Castor. Are you --

2441 *Mr. Zuckerberg. -- on the services that run
2442 advertising.

2443 *Ms. Castor. Oh, are you saying that there are no kids
2444 on Instagram under the age of 13 right now?

2445 *Mr. Zuckerberg. Congresswoman, children under the age
2446 of 13 are not allowed on Instagram. When we find out that
2447 they are there --

2448 *Ms. Castor. No. That is not the answer. I think of
2449 course, every parent knows that there are kids under the age
2450 of 13 on Instagram. And the problem is that you know it, and
2451 you know that the brain and social development of our kids is
2452 still evolving at a young age. There are reasons in the law
2453 that we set that cutoff at 13. But now, because these
2454 platforms have ignored it, they have profited off of it, we
2455 are going to strengthen the law. And I encourage all of my
2456 colleagues to join in this effort. I have heard a lot of
2457 bipartisan support here today.

2458 We also need to hold the corporate executives
2459 accountable and give parents the tools that they need to take
2460 care and protect their kids.

2461 Thank you, Mr. Chairman. I yield back.

2462 *Mr. Doyle. The gentlelady's time is expired.
2463 The chair recognizes Mr. Johnson for five minutes.

2464 *Mr. Johnson. Thanks, Mr. Chairman.

2465 Over a decade ago, Americans watched Facebook, Twitter,
2466 and Google emerge from humble beginnings. We were curious to
2467 see how these new, innovative companies would improve our
2468 lives. The results are in, and they are deeply concerning.

2469 We have seen a surge in cyberbullying, child porn, and
2470 radical extremism, human trafficking, suicides, and screen
2471 addiction, all of which have been linked to the use of social
2472 media. Our Nation's political discourse has never been

2473 uglier, and we haven't been this divided since the Civil War.

2474 Yet Big Tech marches on uninhibited. What is their
2475 newest target? Children under the age of 13. News outlets
2476 this week have reported that Facebook is planning to create
2477 an Instagram app designed for children under the age of 13.
2478 We have talked about it here already today. Elementary and
2479 middle school students.

2480 By allowing Big Tech to operate under Section 230 as is,
2481 we will be allowing these companies to get our children
2482 hooked on their destructive products for their own profit.
2483 Big Tech is essentially handing children a lit cigarette and
2484 hoping they stay addicted for life.

2485 In 1994, Democratic Congressman Henry Waxman chaired a
2486 hearing with the CEOs of our Nation's largest tobacco
2487 companies. During his opening statement, he stated, and I
2488 quote, "Sadly, this deadly habit begins with our kids. In
2489 many cases they become hooked quickly and develop a lifelong
2490 addiction that is nearly impossible to break.'"

2491 So Mr. Zuckerberg and Mr. Dorsey, you profit from your
2492 company's hooking users to your platforms by capitalizing on
2493 their time. So yes or no: Do you agree that you make money
2494 off of creating an addiction to your platforms?

2495 Mr. Zuckerberg?

2496 *Mr. Zuckerberg. Congressman, no. I don't agree with
2497 that.

2498 *Mr. Johnson. Okay. Thank you. Thank you.

2499 *Mr. Zuckerberg. What we do is --

2500 *Mr. Johnson. That is what I needed, a yes or a no,
2501 because you do.

2502 Mr. Dorsey?

2503 *Mr. Dorsey. No.

2504 *Mr. Johnson. Okay. All right. Let me go on.

2505 Chairman Waxman went on to say, and I quote, "For
2506 decades, the tobacco companies have been exempt from the
2507 standards of responsibility and accountability that apply to
2508 all other American corporations. Companies that sell
2509 aspirin, cars, and soda are all held to strict standards when
2510 they cause harm, and that we demand that when problems occur,
2511 corporations and their senior executives be accountable to
2512 Congress and the public. This hearing marks the beginning of
2513 a new relationship between Congress and the tobacco
2514 companies.'" That is what Chairman Waxman said in 1994.

2515 So For all three of you, Mr. Zuckerberg, Mr. Dorsey, and
2516 Mr. Pichai: Do you agree that the CEOs that -- as the CEOs
2517 of major tech companies, you should be held accountable to
2518 Congress and the public? Mr. Zuckerberg?

2519 *Mr. Zuckerberg. Congressman, I think we are
2520 accountable to Congress and to the public.

2521 *Mr. Johnson. Do you think you should be held
2522 accountable?

2523 *Mr. Zuckerberg. I am not sure I understand what you
2524 mean, but I think so.

2525 *Mr. Johnson. It is an easy question. Should you be
2526 held accountable --

2527 *Mr. Zuckerberg. Yes.

2528 *Mr. Johnson. -- to Congress and the public for the way
2529 you run your business?

2530 *Mr. Zuckerberg. Yes. And we are.

2531 *Mr. Johnson. Okay. All right. Thank you.

2532 Mr. Dorsey?

2533 *Mr. Dorsey. Yes. Accountable to the public.

2534 *Mr. Johnson. Okay. Accountable -- no. I said
2535 accountable to Congress and the public. We represent the
2536 public. So you agree?

2537 *Mr. Dorsey. Yes.

2538 *Mr. Johnson. Okay. Thank you. Mr. Pichai?

2539 *Mr. Pichai. Yes. I am here today because I am
2540 accountable to Congress and members of the public.

2541 *Mr. Johnson. Okay. Great. Well, gentlemen, let me
2542 tell you this, and I think I have heard it mentioned by
2543 several of my other colleagues. There is a lot of smugness
2544 among you. There is this air of untouchableness in your
2545 responses to many of the tough questions that you are being
2546 asked.

2547 So let me tell you all this. All of these concerns that

2548 Chairman Waxman stated in 1994 about Big Tobacco apply to my
2549 concerns about Big Tech today, about your companies. It is
2550 now public knowledge that former Facebook executives have
2551 admitted that they use the tobacco industry's playbook for
2552 addictive products. And while this is not your first hearing
2553 in front of Congress, I can assure you that this hearing
2554 marks a new relationship between all of us here today. There
2555 will be accountability.

2556 Mr. Chairman, I yield back.

2557 *Mr. Doyle. I thank the gentleman. He yields back.

2558 The chair now recognizes Mr. McNerney for five minutes.

2559 *Mr. McNerney. I want to thank the chair for organizing
2560 this hearing, and I thank the participants. This is a lot of
2561 work on your behalf and a long day for you. I appreciate
2562 that.

2563 Are you all aware that your platforms are behemoths, and
2564 that the Americans are demanding that we step in and rein in
2565 your platforms both in terms of how you handle our data and
2566 how platforms handle disinformation that causes real harm to
2567 Americans and to the democracy itself?

2568 I understand the tension you have between maximizing
2569 your profits by engaging to your platforms on the one hand
2570 and by the need to address disinformation and real harm it
2571 causes on the other hand. Your unwillingness to
2572 unambiguously commit to enforcing your own policies and

2573 removing the 12 most egregious spreaders of vaccine
2574 disinformation from your platforms gets right at what I am
2575 concerned about.

2576 Disinformation is a strong driver for engagement, and
2577 consequently you too often don't act, even though we know you
2578 have the resources to do that. There are real harms
2579 associated with this. And my questions -- I hope I don't
2580 appear to be rude -- but when I ask for a yes or no question,
2581 I will insist on a yes or no answer.

2582 Mr. Zuckerberg, yes or no: Do you acknowledge that
2583 there is disinformation being spread on your platform?

2584 *Mr. Zuckerberg. Sorry, I was muted. Yes, there is,
2585 and we take steps to fight it.

2586 *Mr. McNerney. Thank you. Yes or no: Do you agree
2587 that your company has profited from the spread of
2588 disinformation?

2589 *Mr. Zuckerberg. Congressman, I don't agree with that.
2590 People don't want to see disinformation on our services, and
2591 when we do --

2592 *Mr. McNerney. So it is no, then.

2593 *Mr. Zuckerberg. -- I think it hurts our long-term --

2594 *Mr. McNerney. You said you don't agree with that. I
2595 appreciate your forthrightness on that. But we all know this
2596 is happening. Profits are being generated from COVID-19 and
2597 vaccine disinformation, election disinformation, QAnon

2598 conspiracy theories, just to name a few things. And it is
2599 baffling that you have a negative answer to that question.
2600 Approximately -- well, let's move on to the next issue.

2601 Mr. Zuckerberg, you talked a lot about relying on third
2602 party fact checkers to combat the spread of disinformation
2603 but you tell us very little about the process. I wrote you a
2604 letter nearly two years ago asking about it and you failed to
2605 answer my question.

2606 I ask this question again when an executive from your
2607 company testified last year and she failed to answer. I
2608 would like to get an answer today. On average, from the time
2609 content is posted to Facebook's platform, how long does it
2610 take Facebook to flag suspicious content to third party fact-
2611 checkers to review the content and for Facebook to take
2612 remedial action after this review is completed? How long
2613 does this entire process take? I am just looking for a quick
2614 number.

2615 *Mr. Zuckerberg. Congressman, it can vary. If an AI
2616 system identifies something immediately, it can be within
2617 seconds. If we have to wait for people to report it to us
2618 and have human review, it can take hours or days. The fact-
2619 checkers take as much time as they need to review things, but
2620 as soon as we get an answer back from them, we should
2621 operationalize that and attach a label if the content is
2622 rated false and --

2623 *Mr. McNerney. I am paying attention on what you are
2624 saying. But what I do know is that this process isn't
2625 happening quickly enough, and I am very concerned that you
2626 aren't motivated to speed things up because the most
2627 problematic content is what gets the most views, and the
2628 longer the content stays up, the more harm -- the more this
2629 helps maximize your bottom line and the more harm that it can
2630 cause. It is clear that you are not going to make these
2631 changes on your own.

2632 This is a question for all of the participants,
2633 panelists: Would you oppose legislation that prohibits
2634 placing ads next to what you know to be or should know to be
2635 false or misleading information, including ads that are
2636 placed in videos, promoted content, and ads that are placed
2637 above, below, or on the site of a piece of content?

2638 Mr. Zuckerberg, would you answer with a yes or no first,
2639 please?

2640 *Mr. Zuckerberg. Congressman, that is very nuanced. I
2641 think the questions to determine whether something is
2642 misinformation is a process that I think would need to be
2643 spelled out well in a law like that.

2644 *Mr. McNerney. Well, okay. I appreciate that.

2645 Mr. Dorsey?

2646 *Mr. Dorsey. Yes. I would oppose it until we see the
2647 actual requirements and what the ramifications are. We need

2648 to understand that.

2649 *Mr. McNerney. Okay. And Mr. Pichai, would you oppose
2650 a prohibition like this?

2651 *Mr. Pichai. The principle makes sense. In fact,
2652 advertisers don't want anywhere or near to be content like
2653 that. And so we already have incentives. You can imagine
2654 reputable advertisers, like consumer products advertisers, do
2655 not want any ads to appear next to information that could
2656 turn off their consumers. So we have natural incentives to
2657 do the right thing here.

2658 *Mr. McNerney. You all say you want to save an open
2659 platform for everyone. You say it is not in your company's
2660 interest to have this information on your platform. So you
2661 shouldn't oppose efforts that would prevent harming the
2662 American people.

2663 I yield back.

2664 *Mr. Doyle. The gentleman's time is expired. The
2665 gentleman yields back.

2666 The chair now recognizes Mr. Long for five minutes.

2667 *Mr. Long. Thank you, Mr. Chairman.

2668 Mr. Pichai, I am going to ask you a yes or no question,
2669 and just tell me if you know the difference in these two
2670 words: yes and no?

2671 *Mr. Pichai. Yes.

2672 *Mr. Long. Mr. Zuckerberg, same question for you. Do

2673 you know the difference in yes and no?

2674 *Mr. Zuckerberg. Yes, Congressman.

2675 *Mr. Long. And Mr. Dorsey, same question for you. Do
2676 you know the difference in two words, yes or no?

2677 *Mr. Dorsey. Yes.

2678 *Mr. Long. I am sorry?

2679 *Mr. Dorsey. Yes.

2680 *Mr. Long. Is that a yes? I didn't --

2681 *Mr. Dorsey. Yes. I know the difference.

2682 *Mr. Long. Thank you. I want a steak dinner there from
2683 one of my colleagues. They didn't think I could get all
2684 three of you to answer a yes or no question. I did it.

2685 Mr. Zuckerberg, let me ask you: How do you ascertain if
2686 a user is under 13 years old?

2687 *Mr. Zuckerberg. Congressman, on services like
2688 Facebook, we have people put in a birthday when they
2689 register.

2690 *Mr. Long. That is handy. So a 13-year-old would
2691 never -- I mean, an 11-year-old would never put in the wrong
2692 birthday by two years and say they were 13? Is that kind of
2693 your policy?

2694 *Mr. Zuckerberg. Congressman, it is more nuanced than
2695 that. But I think you are getting at a real point, which is
2696 that people lie. And we have additional systems that try to
2697 determine what someone's age might be, so if we detect that

2698 someone might be under the age of 13, even if they lied, we
2699 kick them off.

2700 But this is part of the reason why we are exploring
2701 having a service for Instagram that allows under-13s on,
2702 because we worry that kids may find ways to try to lie and
2703 evade some of our systems. But if we create a safe system
2704 that has appropriate parent controls, then we might be able
2705 to get people into using that instead. We are still early in
2706 figuring this out, but that is a big part of the theory and
2707 what we are hoping to do here.

2708 *Mr. Long. But currently they are now allowed to use
2709 Instagram. Correct?

2710 *Mr. Zuckerberg. That is correct. Our policies do not
2711 allow people under the age of 13 to use it.

2712 *Mr. Long. I am from Missouri, the Show-Me State. And
2713 just to say that no one under 13 can get on to me doesn't
2714 pass the Missouri smell test of "show me.'" So I was
2715 thinking with you, Mr. Zuckerberg, you created the Facebook
2716 Oversight Board as a way to help hold Facebook accountable.
2717 They are currently looking at Facebook's decision to remove
2718 President Trump's Facebook account.

2719 If the oversight board determines that Facebook should
2720 have left President Trump's account up, what will you do?

2721 *Mr. Zuckerberg. Congressman, we will respect the
2722 decision of the oversight board, and if they tell us that

2723 former President Trump's account should be reinstated, then
2724 we will honor that.

2725 *Mr. Long. I don't know why people call Attorney
2726 General Ashcroft "Attorney General," but when they speak of
2727 President Trump, they call him "former President." But I
2728 guess I will leave that for another day.

2729 Sticking with you again, Mr. Zuckerberg, my
2730 understanding is that the Facebook Oversight Board is
2731 comprised of members from all over the world. As you are
2732 well aware, the United States has the strictest protections
2733 on free speech than any other country.

2734 Since the decisions of the board are being made by a
2735 panel rather than the U.S. court of law, how can you assure
2736 members of this committee and the American people that the
2737 oversight board will uphold free speech and make their
2738 decisions based on American laws and principles?

2739 *Mr. Zuckerberg. Congressman, the members of the
2740 oversight board were selected because of their views on free
2741 expression and strong support of it. That is why we created
2742 the oversight board, to help us defend these principles and
2743 to help us balance the different aspects of human rights,
2744 including free expression.

2745 But each of the people on the oversight board was
2746 selected because of a strong commitment to free expression,
2747 and I think the decisions that the oversight board has made

2748 so far reflect that.

2749 *Mr. Long. Okay. Let me move on to Mr. Dorsey.

2750 Mr. Dorsey, I know you are from the "Show-Me" State

2751 also. Have you been vaccinated against COVID-19?

2752 *Mr. Dorsey. Not yet.

2753 *Mr. Long. Mr. Pichai, have you been vaccinated against

2754 COVID-19?

2755 *Mr. Pichai. Sorry. I missed the question,

2756 Congressman?

2757 *Mr. Long. I know. I bore a lot of people. Have you

2758 been vaccinated against COVID-19?

2759 *Mr. Pichai. Congressman, I was very fortunate to have

2760 received it last week.

2761 *Mr. Long. So you have one shot; you have another one

2762 to go? Or is it just Johnson & Johnson, where you just need

2763 one?

2764 *Mr. Pichai. I still have one more shot to go.

2765 *Mr. Long. And Mr. Zuckerberg, same question: Have you

2766 been vaccinated against COVID-19?

2767 *Mr. Zuckerberg. I have not yet, but hope to as soon as

2768 possible.

2769 *Mr. Long. Okay. It is not a personal preference not

2770 to get vaccinated, they just haven't got to your age group?

2771 *Mr. Zuckerberg. That is correct.

2772 *Mr. Long. Okay. Thank you. And I just cannot believe

2773 Robert Kennedy, Jr. is out there with his anti-vax stuff and
2774 it is allowed to stay up on Twitter.

2775 With that, I yield back.

2776 *Mr. Doyle. The gentleman yields back.

2777 Let's see who is next. I don't see a name. Can staff
2778 show us who is next up? Mr. Welch, you are recognized for
2779 five minutes.

2780 *Mr. Welch. Thank you, Mr. Chairman.

2781 What we are hearing from both sides of the aisle are
2782 enormous concerns about some of the consequences of the
2783 development of social media -- the algorithmic amplification
2784 of disinformation, election interference, privacy issues, the
2785 destruction of local news, and also some competition issues.
2786 And I have listened carefully, and each of the executives has
2787 said that your companies are attempting to face these issues.

2788 But a concern I have is whether, when the public
2789 interest is so affected by these decisions and by these
2790 developments, ultimately should these decisions be made by
2791 private executives who are accountable to shareholders, or
2792 should they be made by elected representatives accountable to
2793 voters?

2794 So I really have two questions that I would like each of
2795 you, starting with Mr. Zuckerberg and then Mr. Pichai and
2796 then Mr. Dorsey, to address.

2797 First, do you agree that many of these decisions that

2798 are about matters that so profoundly affect the public
2799 interest should they be made exclusively by private actors
2800 like yourselves who have responsibilities for these major
2801 enterprises?

2802 And secondly, as a way forward to help us resolve these
2803 issues or work with them, will you support the creation by
2804 Congress of a public agency, one like the Federal Trade
2805 Commission or the Securities and Exchange Commission, one
2806 that had staff that is expert in policy and technology, that
2807 has rulemaking and enforcement authority to be an ongoing
2808 representative of the public to address these emerging
2809 issues? Mr. Zuckerberg?

2810 *Mr. Zuckerberg. Congressman, I agree with what you are
2811 saying, and I have said a number of times that I think that
2812 private companies should not be making so many decisions
2813 alone that have to balance these complicated social and
2814 public equities.

2815 And I think that the solution that you are talking about
2816 could be very effective and positive for helping out because
2817 what we have seen in different countries around the world is
2818 there are lots of different public equities at stake here --
2819 free expression, safety, privacy, competition -- and these
2820 things trade off against each other. And I think a lot of
2821 these questions, and the reason why people get upset with the
2822 companies, I don't think it is necessarily because the

2823 companies are negligent. I think it is because these are
2824 complex tradeoffs between these different equities.

2825 And if you --

2826 *Mr. Welch. Pardon my interruption, but I want to go to
2827 Mr. Pichai. But thank you, Mr. Zuckerberg.

2828 *Mr. Pichai. Congressman, if your question is -- I just
2829 want to make sure. Are you asking about whether there should
2830 be another agency? I defer to Congress on that. We are
2831 definitely subject to a variety of statutes and oversight by
2832 agencies like FTC. We have consent agreements with the FCC.
2833 And we engage with these agencies regularly.

2834 *Mr. Welch. Do you believe that it should be up to the
2835 public as opposed to private interests to be making decisions
2836 about these public effects?

2837 *Mr. Pichai. We definitely think areas where there
2838 could be clear legislation informed by the public -- I think
2839 that definitely is a better approach. I would say the nature
2840 of content is so fast-changing and so dynamic, we spend a lot
2841 of energy hiring experts, consult with third parties, and
2842 that expertise is needed, I think, based on the --

2843 *Mr. Welch. Right. And that is the problem we have in
2844 Congress because an issue pops up and there is no way we can
2845 keep up. But you all can barely keep up with it yourself.

2846 Mr. Dorsey, your view on those two questions, please?

2847 *Mr. Dorsey. Yes. I don't think the decision should be

2848 made by private companies or the government, which is why we
2849 are suggesting a protocol approach to help the people make
2850 the decisions themselves, have more control themselves.

2851 *Mr. Welch. So does that mean that the creation of an
2852 agency that would be intended to address many of these tech
2853 issues that are emerging is something you would oppose or --

2854 *Mr. Dorsey. I always have an open mind. I would want
2855 to see the details of what that means and how it works in
2856 practice.

2857 *Mr. Welch. Well, of course. But the heart of it is
2858 creating an entity that has to address these questions of
2859 algorithmic transparency, of algorithmic amplification of
2860 hate speech, of disinformation, of competition; and to have
2861 an agency that is dedicated to that, much like the Securities
2862 and Exchange Commission was designed to stop the rampant
2863 abuse on Wall Street in the 1930s -- a public sector entity
2864 that is doing this, not just leaving it to private companies.

2865 *Mr. Dorsey. Yes. I do think --

2866 *Mr. Welch. Do you agree or not?

2867 *Mr. Dorsey. I do think there should be more regulation
2868 around the primitives of AI. But we focus a lot of our
2869 conversations right now on the outcomes of it. I don't think
2870 we are looking enough at the primitives.

2871 *Mr. Welch. Thank you. I yield back.

2872 *Mr. Doyle. The gentleman yields back.

2873 The chair recognizes Mr. Bucshon for five minutes.

2874 *Mr. Bucshon. Thank you, Mr. Chairman. And first of
2875 all, I want to thank the witnesses for being here today. It
2876 is going to be a long day, and appreciate your testimony and
2877 your answering questions.

2878 I do think it is important to understand history --
2879 excuse me -- when you look at these situations and you know,
2880 when it comes to the political side, when Thomas Jefferson
2881 wanted to get out an anti-Adams message even though he was
2882 his own Vice President, had started his own newspaper because
2883 it was pretty clear that the newspapers that were being
2884 published weren't going to change their view because there
2885 was no competitive reason to do that.

2886 And I think we are looking at potentially a similar
2887 situation here. Without competition, things don't change. I
2888 mean, it would be interesting to know the conversations with
2889 John D. Rockefeller in the early 1900s prior to the breakup
2890 of Standard Oil in 1911, and then of course AT&T in 1982.

2891 So I understand that these are businesses. They are
2892 publicly held companies. I respect that. I understand that.
2893 I am a capitalist. That said, these situations are a little
2894 different, I think, because there is some social
2895 responsibility here. And I appreciate your answers that your
2896 companies are doing what you believe are necessary.

2897 So I want to ask -- I am going to take the antitrust

2898 area here. And Mr. Pichai, what do you think -- what is the
2899 situation when you have Google, 92 percent of the searches
2900 are Google? You basically can't get on the internet without
2901 some sort of Google service. What do you think is going to
2902 happen? What do you think we should do about that?

2903 *Mr. Pichai. Congressman, I mean we definitely are
2904 engaged with conversations as well as lawsuits in certain
2905 cases. We understand there will be scrutiny here. We are a
2906 popular general purpose search engine, but we compete
2907 vigorously in many of the markets we operate in. For
2908 example, the majority of revenue comes from product services,
2909 and one in two product services originate with Amazon today
2910 in the U.S.

2911 So we definitely see a lot of competition by category.
2912 There are many areas as a company we are an emerging player,
2913 making phones. Or when we are trying to provide enterprise
2914 software, we compete with or larger players as well. And if
2915 you look at the last year and look at all the new entrants in
2916 the market, new companies that have gone public and emerged
2917 strongly, in tech shows, the market is vibrant and dynamic.

2918 As Google, we have invested in many startups. Googlers
2919 have started over -- former Google employees have started
2920 over 2,000 companies in the past 15 years. And so I see a
2921 highly dynamic, vibrant, competitive tech sector, and we are
2922 committed to doing our part.

2923 *Mr. Bucshon. Okay. Fair enough.

2924 Mr. Zuckerberg, do you have some comments on that
2925 subject?

2926 *Mr. Zuckerberg. Congressman, I would echo Sundar's
2927 comments. I think that this is a highly competitive market.
2928 I mean, if this is a meeting about social media, not only do
2929 you have the different companies that are here today that all
2930 offer very big services that compete with each other, but you
2931 have new entrants that are growing very quickly, like TikTok,
2932 which is reaching a scale of hundreds of millions or billions
2933 of people around the world, and I think is growing faster
2934 than any of our services of the companies that are up here
2935 today, and certainly competitive with us. And that is just
2936 naming a few. Right? I mean, obviously there's Snapchat and
2937 a bunch of other services as well.

2938 So it is a very competitive marketplace.

2939 *Mr. Bucshon. And do you think -- I will ask you this,
2940 Mr. Zuckerberg. I think you have commented that some of the
2941 privacy things that maybe the Europeans did would kind of
2942 solidify your dominance as a company. So what should we do
2943 in the United States on this? Because -- it is a different
2944 subject, but similar -- to not do something that would stymie
2945 innovation and competition, and further -- in my view,
2946 further create a monopolistic or at least a perceived
2947 monopolistic environment.

2948 *Mr. Zuckerberg. Well, Congressman, I do think that the
2949 U.S. should have Federal privacy legislation because I think
2950 we need a national standard. And I think having a standard
2951 that is across the country that is as harmonized
2952 with standards in other places would actually create clearer
2953 expectations of industry and make it better for everyone.

2954 But I think the point that you are making is a really
2955 important one, which is if we ask companies to lock down
2956 data, then that to some degree can be at odds with asking
2957 them to open up data to enable, whether it is academic
2958 research or competition.

2959 So I think that when we are writing this privacy
2960 regulation, we just should be aware of the interaction
2961 between our principles on privacy and our principles on
2962 competition. And that is why I think a more holistic view,
2963 like what Congressman Welch was just proposing, I think is
2964 perhaps a good way to go about this.

2965 *Mr. Bucshon. Okay. Quickly, Mr. Dorsey, do you have
2966 any comments on that?

2967 *Mr. Dorsey. One of the reasons we are suggesting more
2968 of a protocol approach is to enable as many new entrants as
2969 possible. We want to be a client on that.

2970 *Mr. Bucshon. Okay. I want to --

2971 *Mr. Doyle. The gentleman's time is expired.

2972 *Mr. Bucshon. With that, I will yield back.

2973 *Mr. Doyle. The chair recognizes Ms. Clarke for five
2974 minutes.

2975 *Ms. Clarke. Thank you, Mr. Chairman. I thank you, the
2976 chairs and the ranking members, for today's hearing. I also
2977 thank our witnesses for appearing.

2978 In January, I called for public comment for the
2979 discussion draft of my bill, the Civil Rights Modernization
2980 Act of 2021, a narrowly focused proposal to protect
2981 historically marginalized communities from the harms of
2982 targeted advertising practices.

2983 These harms can and have infringed on the civil rights
2984 of protected classes, and I am proud to formally introduce
2985 this bill next week to diminish inequities in the digital
2986 world.

2987 For time's sake, I ask our witnesses to please answer
2988 the questions as succinctly as possible.

2989 The first question goes to Mr. Zuckerberg. Facebook
2990 currently provides their advertisers with insight on how to
2991 get their ads in front of people who are most likely to find
2992 their ads relevant by utilizing tools to use criteria like
2993 consumer's personal interest, geography, to fine-tune thought
2994 targeting.

2995 This has often used code that target or avoid specific
2996 races or other protected classes of people. Let me add that
2997 I am aware of the updates to your special ad audience.

2998 However, why does Facebook continue to allow for
2999 discrimination in the placement of advertisements that can
3000 violate civil rights laws?

3001 *Mr. Zuckerberg. Congresswoman, we have taken a number
3002 of steps to eliminate ways that people can target different
3003 groups based on racial affinity and different ways that they
3004 might discriminate because this is a very important area.
3005 And we have active conversations going on with civil rights
3006 experts as to the best ways to continue improving these
3007 systems, and we will continue doing that.

3008 *Ms. Clarke. Mr. Dorsey, Twitter allows advertisers to
3009 use demographic targeting to reach people based on location,
3010 language, device, age, and gender. In July, your company
3011 made changes to your ad targeting policies to advise
3012 advertisers to "not wrongfully discriminate against legally
3013 protected categories of users."

3014 What did Twitter mean by the phrase "wrongfully
3015 discriminate"? Are some kinds of discriminatory advertising
3016 permitted on Twitter? If so, would you please explain?

3017 *Mr. Dorsey. No. None at all.

3018 *Ms. Clarke. I am sorry. I didn't get that answer.

3019 *Mr. Dorsey. No. None at all.

3020 *Ms. Clarke. Okay. And so can you explain what you
3021 meant by "won't wrongfully discriminate"?

3022 *Mr. Dorsey. We mean that you shouldn't use our ad

3023 systems to discriminate.

3024 *Ms. Clarke. Oh, okay. Mr. Pichai, Google has recently
3025 announced a new approach in their targeting system called
3026 FLOC, or Federal Learning of Cohorts -- excuse me, Federated
3027 Learning of Cohorts, to allow an ad targeting to groups of
3028 people with similar characteristics. The new system will
3029 utilize machine learning to create these "cohorts" for the
3030 consumers' visits to websites.

3031 Given the potentially biased and disparate impact of
3032 machine learning algorithms, how has Google addressed the
3033 potential discriminatory impact of this new FLOC system?

3034 *Mr. Pichai. Congresswoman, it is an important area.
3035 We recently announced a joint collaboration with HUD to ban
3036 ads that would target age, gender, family status, zip code,
3037 in addition to race, which we have long disallowed. So we
3038 will bring similar prohibitions, particularly when we are
3039 using machine learning. And by the FLOC -- it is early; we
3040 haven't implemented it yet; we will be published more
3041 technical proposals on it.

3042 And they will be held to our AI principles, which
3043 prohibit discrimination based on sensitive categories,
3044 including race. And we will be happy to consult and explain
3045 our work there.

3046 *Ms. Clarke. I appreciate that.

3047 Gentlemen, I just want you to be aware that the longer

3048 we delay in this, the more that these systems that you have
3049 created bake discrimination into these algorithms. I think
3050 that it is critical that you get in there and that you do
3051 what is in the best interest of the public of the United
3052 States of America, and undo a lot of the harm that has been
3053 created with the bias that has been baked into your systems.

3054 With that, Mr. Chairman, I yield back 23 seconds. And I
3055 thank you for this opportunity.

3056 *Mr. Doyle. And I thank the gentlelady for that.

3057 The chair now recognizes Mr. Walberg for five minutes.

3058 *Mr. Walberg. Thank you, Mr. Chair. And thanks to the
3059 panel for being here. What I have listened to so far today,
3060 I would have to say that based upon what many of us in
3061 Congress say about the best legislation, when both sides
3062 don't like it, it is probably good. And you have certainly
3063 hit that today, I think from both sides. You have been
3064 attacked for various reasons.

3065 But I have to say the platforms that you have developed
3066 are amazing and they have huge potential. And they indeed
3067 have enabled us to go directions, the information, the
3068 communications, relationships, that can be very positive and
3069 are amazing in what has been accomplished.

3070 I think we get down to how that is controlled and who
3071 controls it. Going back to our foundations as our country,
3072 it was our second President, John Adams, who said that our

3073 constitution was meant for a moral and religious people and
3074 is wholly inadequate for any other.

3075 I think we are seeing a lot of the problems that you are
3076 frustrated with as a result of parents and families,
3077 churches, schools, that aren't taking the primary
3078 responsibility. I get that. So it comes down to the choice
3079 that is left for the people is really between conscience and
3080 the constable.

3081 We are either going to have a conscience that self-
3082 controls and, as you have said, Mr. Zuckerberg -- in fact,
3083 what you said, I wouldn't mind my 3- and 5-year-old
3084 granddaughters coming to your house. I am not asking for the
3085 invitation. But I think they would be safe there relative to
3086 the online capabilities, from what you have said. But that
3087 is conscience versus constable.

3088 But what I have heard today is that there will be some
3089 constable, and I am not sure that we will have success in
3090 moving forward. So I guess, Mr. Chairman, unfortunately we
3091 have been here before. We have been here many times. A few
3092 years ago, when Mr. Zuckerberg was here before this
3093 committee, I held up a Facebook post by a State senator in
3094 Michigan whose post was simply announcing his candidacy as a
3095 Republican for elected office, and yet it was censored as
3096 shocking and disrespectful or sensational in content.

3097 Just a few months ago I posted my resolution that would

3098 add teachers to the vaccine priority list on Twitter, and it
3099 was labeled as "sensitive content" and encouraged to be
3100 changed. Well, hiding behind Section 230, all of you have
3101 denied that there is any bias or inequitable handling of
3102 content on your platforms.

3103 And yet Pew Research Center found that -- and this is
3104 where I have my problem -- not so much with the platform or
3105 even the extent of what is on the platform, but they found
3106 that 72 percent of the public thinks it is likely that social
3107 media platforms actively censor political views that Big Tech
3108 companies find objectionable.

3109 Further, and I quote, "By a 4-to-1 margin, respondents
3110 were more likely to say Big Tech supports the views of
3111 liberals over conservatives than vice versa." Probably
3112 equaled only by higher education. That was my statement.
3113 And yet every time this happens, you fall back on blaming
3114 glitches in the algorithms.

3115 It was former -- Greg Coppola, a former Google insider,
3116 who said, before he was suspended by Google, he said,
3117 "Algorithms don't write themselves. We write them to do what
3118 we want them to do." That is my concern. Whether it is
3119 censoring pro-life groups like Life Action, or pro-Second
3120 Amendment groups like the Well-Armed Women, your platforms
3121 continually shut down law-abiding citizens in constitutional
3122 discussions and commerce that don't align with Big Tech views

3123 and the worldview, and this includes the First and Second
3124 Amendments that causes me to be concerned that you don't
3125 share the same freedom and constitutional concerns.

3126 It is not often I find myself agreeing with Bernie
3127 Sanders, but in an interview earlier this week, and I quote,
3128 he said, "If you are asking me do I feel particularly
3129 comfortable that the President of the United States should
3130 not express his views on Twitter, I don't feel comfortable
3131 about that," he went on to say, "because yesterday was
3132 Donald Trump who is blamed, and tomorrow it could be somebody
3133 else."

3134 Mr. Zuckerberg or Mr. Dorsey, do you believe the law
3135 should allow you to be the arbiters of truth, as they have
3136 under Section 230? Mr. Zuckerberg first.

3137 *Mr. Zuckerberg. Congressman, I think that it is good
3138 to have a law that allows platforms to moderate content. But
3139 as I have said today, I think that there -- that we would
3140 benefit from more transparency and accountability.

3141 *Mr. Walberg. Mr. Dorsey?

3142 *Mr. Dorsey. I don't think we should be the arbiters of
3143 truth, and I don't think the government should be, either.

3144 *Mr. Walberg. Gentlemen, I agree.

3145 *Mr. Doyle. The gentleman's time is expired.

3146 *Mr. Walberg. I yield back.

3147 *Mr. Doyle. The chair now recognizes Mr. Cardenas for

3148 five minutes.

3149 *Mr. Cardenas. Thank you very much, Mr. Chairman and
3150 ranking members, for having this important hearing. I would
3151 like to submit to the record a National Hispanic Media
3152 Coalition letter against Spanish-language disinformation on
3153 social media. If we could submit that for the record, I
3154 would appreciate that.

3155 [The National Hispanic Media Coalition letter follows:]

3156

3157 *****COMMITTEE INSERT*****

3158

3159 *Mr. Cardenas. Also, my first question is thank you,
3160 Mr. Zuckerberg. In 2020, Facebook brought in approximately
3161 \$86 billion revenue in 2020. Is that about right, give or
3162 take?

3163 *Mr. Zuckerberg. Congressman, I think that is about
3164 right.

3165 *Mr. Cardenas. Okay. Thank you. Good. How much of
3166 that revenue did Facebook invest in identifying
3167 misinformation, disinformation, and that portion of your
3168 business?

3169 *Mr. Zuckerberg. Congressman, I don't know the exact
3170 answer. But we invest billions of dollars in our integrity
3171 programs, including having more than a thousand engineers
3172 working on this and 35,000 people doing content review across
3173 the company.

3174 *Mr. Cardenas. Okay. And how many people do have full-
3175 time equivalents, in your company overall?

3176 *Mr. Zuckerberg. Congressman, I don't know the exact
3177 number, but I think it is around 60,000.

3178 *Mr. Cardenas. Okay. So you are saying over half of
3179 the people in your company are doing the portion of content
3180 review, et cetera, which is the main subject we seem to be
3181 talking about today?

3182 *Mr. Zuckerberg. No, Congressman, because you asked
3183 about full-time employees, and some of the content reviewers

3184 are contractors.

3185 *Mr. Cardenas. Oh, okay. All right. Well, there seems
3186 to be a disparity between the different languages that are
3187 used on your platform in America. For example, there was a
3188 study published in April, and over 100 items of
3189 misinformation on Facebook in six different languages was
3190 found, and 70 percent of the Spanish-language content
3191 analyzed had not been labeled by Facebook as compared to 30
3192 percent of the English-language misinformation that had not
3193 been labeled. So there seems to be a disparity there.

3194 What kind of investment is Facebook making on the
3195 different languages to make sure that we have more of an
3196 accuracy of flagging those disinformation and misinformation?

3197 *Mr. Zuckerberg. Congressman, thanks. We have an
3198 international fact-checking program where we work with fact-
3199 checkers in more than 80 countries and a bunch of different
3200 languages.

3201 In the U.S. specifically, we have Spanish-speaking fact-
3202 checkers as well as English-speaking fact-checkers. So
3203 that's on the misinformation side. But also, when we create
3204 resources with authoritative information, whether it is
3205 around COVID information or election information, we
3206 translate those hubs so that way they can be available in
3207 both English and Spanish. And we make it so people can see
3208 the content in whatever language they prefer.

3209 *Mr. Cardenas. Thank you. So basically you are saying
3210 it is extensive?

3211 *Mr. Zuckerberg. Congressman, this is certainly
3212 something that we invest a lot in. And it will be something
3213 that we continue to invest more in.

3214 *Mr. Cardenas. Okay. I like the last portion. I do
3215 believe, and would love to see you invest more.

3216 My 70-plus-year-old mother-in-law, who is primarily a
3217 Spanish speaker, commented to me the other day that her
3218 friends who communicate mainly in Spanish -- and they do use
3219 the internet; they use some of your platforms, gentlemen --
3220 that they were worried about the vaccine and that somebody is
3221 going to put a chip in their arm.

3222 For God's sakes, I mean, that to me just was
3223 unbelievable that they would comment on that. But they got
3224 most of that information on the internet, on various
3225 platforms. Clearly, Spanish language disinformation is an
3226 issue, and I would like to make sure that we see all of your
3227 platforms address these issues, not only in English but in
3228 all languages.

3229 I think it is important for us to understand that a lot
3230 of hate is being spewed on the internet, and a lot of it is
3231 coming through many of your platforms. For example, there
3232 are 23 people dead in El Paso because somebody filled this
3233 person's head with a lot of hateful nonsense, and he drove to

3234 specifically kill Mexicans along the Texas-Mexican border.

3235 Eight people are dead in Atlanta because anti-Asian
3236 hatred and misinformation has been permitted to spread and
3237 allowed on these platforms unchecked, pretty much unchecked.
3238 The spread of hatred and incitement of violence on platforms
3239 is a deadly problem in America, and we need to see that it
3240 stops.

3241 Mr. Zuckerberg, do you believe that you have done enough
3242 to combat these kinds of issues?

3243 *Mr. Zuckerberg. Congressman, I believe that our
3244 systems -- and that we have done more than basically any
3245 other company. But I think that there is still a problem and
3246 there is still more that needs to be done.

3247 *Mr. Cardenas. Okay. That is good. You would like to
3248 do more. Thank you.

3249 I only have 15 seconds so I am going to ask this
3250 question to all three of you: Do you think that each one of
3251 your organizations should have an executive-level individual
3252 in charge of this department reporting directly to the CEO?
3253 Do you think you agree that that should be the case?
3254 Mr. Zuckerberg?

3255 *Mr. Zuckerberg. Congressman, we have an executive-
3256 level person who is in charge of the integrity team that I
3257 talked about. He is on my management team.

3258 *Mr. Cardenas. Reports directly to you?

3259 *Mr. Zuckerberg. Congressman, he does not. I only have
3260 a few direct reports. A lot of people on the management team
3261 report to them.

3262 *Mr. Cardenas. Okay. Thank you. To the other two
3263 witnesses, very quickly?

3264 *Mr. Pichai. Congressman, we have senior executives,
3265 including someone who reports directly to me, who oversees
3266 trust and safety across all of these areas.

3267 *Mr. Cardenas. Thank you. Mr. Dorsey?

3268 *Mr. Dorsey. We do. We do.

3269 *Mr. Cardenas. Thank you so much. I yield back the
3270 balance of my time.

3271 *Mr. Doyle. The gentleman's time is expired.

3272 The chair now recognizes Mr. Carter for five minutes.

3273 *Mr. Carter. Thank you, Mr. Chairman. And thank all of
3274 you for being here.

3275 Mr. Zuckerberg, I would like to start with you. And I
3276 wanted to ask you, you are aware, as all of us are, of the
3277 disaster that we have at the Southern border [audio
3278 disruption] indicate that human smugglers have been using
3279 social media, including Facebook, WhatsApp, and Instagram, to
3280 coordinate their operations in transporting illegal
3281 immigrants into the United States -- things like, what to say
3282 to authorities, transportation tips, and other forms of
3283 information that are being traded on your platform to evade

3284 authorities and contribute to the crisis, this disaster at
3285 the border.

3286 Mr. Zuckerberg, do you feel complicit in any way that
3287 your platform is assisting in this disaster?

3288 *Mr. Zuckerberg. Congressman, first let me say that
3289 what is happening at the border is --

3290 *Mr. Carter. I am not -- we know what is happening at
3291 the border. I am asking you specifically about your
3292 platform. Do you feel complicit in what your platform is
3293 doing to assist in this disaster?

3294 *Mr. Zuckerberg. Congressman, we have policies and we
3295 are working to fight this content. We have policies against
3296 scams in pages, groups, and events like the content that you
3297 are talking about. We are also seeing the State Department
3298 use our platform to share factual information with people
3299 about --

3300 *Mr. Carter. I am not talking about facts. I am
3301 talking about -- I am talking about coyotes who are using
3302 your platform to spread this kind of information to assist in
3303 this illegal activity that is resulting in horrible
3304 conditions for these people who are trying to come across
3305 that border.

3306 *Mr. Zuckerberg. Congressman, that is against our
3307 policies, and we are taking a lot of steps to stop it. And
3308 again, let me just say that I think the situation at the

3309 border is really serious and we are taking it very seriously.

3310 *Mr. Carter. Well, and I hope you will look into this,
3311 these reports that your platform is being used by these
3312 traffickers. This is something we need your help with. I
3313 hope you feel the sense of responsibility, sir, to help us
3314 with this because we certainly need it.

3315 Let me ask you something. You dedicated a lot of your
3316 written testimony to election issues. And even today, during
3317 this hearing, you have been very public in pushing back about
3318 the election claims in November. Yet when Facebook has been
3319 essentially silent on the attempted theft of the certified
3320 election in Iowa of Representative Miller-Meeks. Why is
3321 that? Why are you silent on that, yet you are not silent on
3322 other elections?

3323 *Mr. Zuckerberg. Congressman, I think what we saw
3324 leading up to January 6 was unprecedented in American
3325 history, where you had a sitting President trying to
3326 undermine the peaceful transfer of power --

3327 *Mr. Carter. You determined which one is important and
3328 which one is not. This seat to these people who elected this
3329 duly certified representative, this is the most important
3330 thing to them as well.

3331 *Mr. Zuckerberg. Congressman, I think part of what made
3332 the January 6th events extraordinary was not just that the
3333 election was contested, but that you got folks like the

3334 President --

3335 *Mr. Carter. What -- okay. Let me ask you this: What
3336 is it that makes this particular issue irrelevant, that you
3337 are not even covering it?

3338 *Mr. Zuckerberg. Congressman, I didn't say that it is
3339 irrelevant. But on January 6th, we had insurrectionists
3340 storm the Capitol, leading to the death of multiple people.

3341 *Mr. Carter. My time is -- Mr. Zuckerberg, I am aware
3342 of that. I was there. I understand what happened. But
3343 again, will you commit to treating this as a serious election
3344 concern? What is going on --

3345 *Mr. Zuckerberg. Congressman, we -- I will commit to
3346 that. And we apply our policies to all situations. And I
3347 think that this is different from what happened on January
3348 6th, but we apply our policies equally in these cases.

3349 *Mr. Carter. Mr. Dorsey, you, too, have been very
3350 silent on this issue on your platform. Will you commit to
3351 treating this as a serious concern, the attempted theft of
3352 the certified seat in Iowa?

3353 *Mr. Dorsey. Yes. We are looking for all opportunities
3354 to minimize anything that takes away from integrity of
3355 elections.

3356 *Mr. Carter. Okay. Mr. Dorsey, while I have got you,
3357 let me ask you: You have started a new program. It is
3358 called the Bird Watch, and it allows people to identify

3359 information in tweets that they believe is misleading. And
3360 they write notes to provide context in an effort to stop
3361 misleading information from spreading.

3362 Have you seen -- we have seen mobs of Twitter users
3363 cancel others. And even when the information they share is
3364 accurate, why do you think Bird Watch is going to work, given
3365 the culture that you created on your platform?

3366 *Mr. Dorsey. Well, it is an experiment. We wanted to
3367 experiment with a more crowdsourced approach than us going
3368 around and doing all this work.

3369 *Mr. Carter. Don't you think that is kind of a
3370 dangerous experiment, when you are taking off truth
3371 information?

3372 *Mr. Zuckerberg. No. It is an alternative. And I
3373 think --

3374 *Mr. Carter. An alternative.

3375 *Mr. Dorsey. I think we need to experiment as much as
3376 possible to get to the right answers. I think it states --

3377 *Mr. Carter. Okay. Well, that is fine as long as you
3378 are not the one being experimented on, as long as you are not
3379 the one that the information is going --

3380 *Mr. Doyle. The gentleman's time is expired.

3381 The chair announces that we are going to take a recess
3382 now for 15 minutes. So the committee will stand in recess
3383 until 3:18, and then we will come back promptly. I call the

3384 committee in recess.

3385 [Recess.]

3386 *Mr. Doyle. Okay. I will call the committee back to
3387 order and ask all members and witnesses to come back online.

3388 [Pause]

3389 *Mr. Doyle. We will get started. The chair recognizes
3390 Mrs. Dingell for five minutes.

3391 *Mrs. Dingell. Thank you, Mr. Chairman. Thanks for
3392 having this hearing, and to everyone for testifying today.

3393 We can all agree that social media companies have a
3394 responsibility to reduce and eliminate the impact of
3395 disinformation on their platforms. Mr. Zuckerberg, in the
3396 fall of 2020, you made numerous assurances to Congress that
3397 you had a handle on militia and conspiracy networks. We
3398 know, however, that Facebook private groups And the
3399 algorithms that recommend them have assisted in radicalizing
3400 users and facilitated terrorism, violence, and extremism
3401 against individuals, including the governor of my State of
3402 Michigan. Racial and ethnic minorities, including Muslims
3403 and, recently, Asian-Americans, are facing growing racist
3404 hate online and violence offline. Last year I sent you
3405 multiple letters about these issues, so I know you are aware
3406 of them.

3407 IN October of 2020, Facebook temporarily decided to stop
3408 recommending political or civic groups on its platforms, a

3409 change it has now made permanent. But to be honest, despite
3410 what you did in October, we had an insurrection that stormed
3411 the Capitol on January 6.

3412 I seriously question Facebook's commitment to actually
3413 stopping extremism. In a recent investigative report, a
3414 former Facebook AI researcher said he and his team conducted
3415 study after study confirming the same basic idea: Models
3416 that maximize engagement increase polarization. And you
3417 yourself have said that the more likely content is to violate
3418 Facebook community standards, the more engagement it
3419 generally receives. Engagement is the key to Facebook's
3420 growth and success, and the stock markets rewarded you for
3421 it. Even as you have been criticized for promoting extremism
3422 and racist content, including in a 2020 Facebook civil rights
3423 audit. The two seem to go hand in hand. As Facebook was
3424 also the most cited social media site in changing documents
3425 that the Justice Department filed against the Capitol
3426 insurrectionists.

3427 Mr. Zuckerberg, do you still maintain that the more
3428 likely user content is to violate Facebook community
3429 standards, the more engagement it will receive? Yes or no?

3430 *Mr. Zuckerberg. Congresswoman, thanks for raising this
3431 because I think that there has been a bunch of inaccurate
3432 things about this shared today.

3433 *Mrs. Dingell. Okay.

3434 *Mr. Zuckerberg. There seems to be a belief -- -- --

3435 *Mrs. Dingell. Yes or no?

3436 *Mr. Zuckerberg. Sorry. This is a nuanced topic. So
3437 if you are okay with it, I would like to --

3438 *Mrs. Dingell. You have to keep it short. But I will
3439 give it a second since I want to --

3440 *Mr. Zuckerberg. Sure. So --

3441 *Mrs. Dingell. -- that is a victim of this hate.

3442 *Mr. Zuckerberg. People don't want to see
3443 misinformation or divisive content on our services. People
3444 don't want to see clickbait and things like that. While it
3445 may be true that people might be more likely to click on it
3446 in the short term, it is not good for our business or our
3447 product or our community for this content to be there. It is
3448 not what people want, and we run the company for the long
3449 term with a view towards 10 or 20 years from now.

3450 And I think that we are highly aligned with our
3451 community in trying to not show people the content that is
3452 not going to be meaningful to them.

3453 *Mrs. Dingell. Okay, Mr. Zuckerberg. I am going to --
3454 I only have two minutes left. Do you still agree with the
3455 statement in Facebook's most recent 10-K filing that the
3456 first risk related to your product offerings is our ability
3457 to add and retain users and maintain levels of user
3458 engagement with our products? Just a yes or no, please.

3459 *Mr. Zuckerberg. Congressman, I think that that is
3460 generally right. I mean, for any product, the ability to
3461 building something that people like and use is something that
3462 is a risk if we can't do that.

3463 *Mrs. Dingell. Okay. So do you still agree with the
3464 statement of your CFO on a recent earnings call that the
3465 changes to group recommendations so far wouldn't affect your
3466 engagement? Yes or no?

3467 *Mr. Zuckerberg. Congressman, there are so many
3468 different parts of the service that I think it is probably
3469 right --

3470 *Mrs. Dingell. Can I just --

3471 *Mr. Zuckerberg. -- that not recommending political or
3472 civic groups probably isn't going to meaningfully decrease
3473 engagement. But we have taken a lot of HR steps, including
3474 reducing viral videos by about 50 million hours of watching a
3475 day, which have had a meaningful impact on engagement. But
3476 we do that because it helps make the service better and helps
3477 people like it more, which I think will be better for both
3478 the community and our business over the long term.

3479 *Mrs. Dingell. Okay. Mr. Zuckerberg, I am sorry to
3480 have to do this in five minutes. But given your promises in
3481 the fall, the events that transpired on January 6, and your
3482 two incentives that you yourself admit, I find it really
3483 difficult to take some of these assurances you are you to

3484 give us today seriously.

3485 I believe that regulators and independent researchers
3486 should have access to Facebook and other large social media
3487 platforms' recommendation algorithms, not just for groups but
3488 for any relevant feature that can be exploited or exploit
3489 private user data collected by the company to support
3490 extremism. And I support legislation to do so.

3491 Mr. Zuckerberg, given your inability to manage your
3492 algorithms, or your unwillingness to reduce controversial
3493 content, are you opposed to a law enabling regulators to
3494 access social media algorithms or other information
3495 technology that result in the promotion of harmful
3496 disinformation and extremist content?

3497 *Mr. Zuckerberg. Well, Congresswoman -- well, I don't
3498 necessarily agree with your characterization. I do think
3499 that giving more transparency into the systems is an
3500 important thing. We have people working on figuring out how
3501 to do this.

3502 One of the nuances here in complexity is that it is hard
3503 to separate out the algorithms versus people's data which
3504 kind of goes into that to make decisions, and the data is
3505 private. So it is tough to make that public and transparent.
3506 But I do think that this is an important area of study on how
3507 to audit and make algorithms more transparent.

3508 *Mr. Doyle. Okay. The gentlelady's time is expired.

3509 The chair recognizes Mr. Duncan for five minutes.

3510 *Mr. Duncan. Thank you, Mr. Chairman. Let me first say
3511 that Democrats repeating disinformation about the motives if
3512 the murder in Atlanta during a hearing on disinformation is
3513 irony at its worst. The murderer admitted that he was a sex
3514 addict. The problem was addiction, mental illness. While my
3515 thoughts and prayers go out to the families who were impacted
3516 by this hideous crime, it was not a hate crime and to say so
3517 is disinformation.

3518 Mr. Dorsey, is it okay for a white male to tweet a
3519 picture of a KKK Klansman hood to a black woman?

3520 *Mr. Dorsey. No. That would go against our hateful
3521 conduct policy.

3522 *Mr. Duncan. Just this week, black conservative
3523 commentator Candice Owens was sent a tweet from a white
3524 liberal depicting a KKK hood. And your support center said
3525 that that racist harassment of a conservative didn't violate
3526 your terms of service. What do you have to say about that?

3527 *Mr. Dorsey. We removed that tweet.

3528 *Mr. Duncan. Okay. Thank you for doing that. Also
3529 this week, Syrian refugee Ahmad Al Aliwi Alissa, a Biden-
3530 supporting Muslim, allegedly murdered 10 people at a grocery
3531 store in Boulder, Colorado. Your support center told
3532 Newsweek that referring to this gentleman as a white
3533 Christian terrorist wasn't a violation of your misinformation

3534 policy. What do you have to say about that?

3535 *Mr. Dorsey. I don't know that case, but we can follow
3536 up with you on that.

3537 *Mr. Latta. Thank you. Your promises from the last
3538 hearing that you will work on this or make it better rang
3539 completely hollow sometimes, so I ask that you do.

3540 You have censored and taken down accounts of
3541 conservatives, Christian, and even pro-life groups. At the
3542 same time, liberals, tyrants, and terrorists continue to have
3543 unfettered access on Twitter. You were able to take down the
3544 account of a sitting United States President while he was
3545 still President. But you continue to allow State sponsors of
3546 terror to use Twitter as a platform, including the Ayatollah
3547 Khoumeini, Javad Zarif of Iran, or even Bashar al-Assad of
3548 Syria.

3549 You act like judge and jury and continue to hide behind
3550 the liability protections in Section 230 of Communications
3551 Decency Act, which Congress set up to foster a free and open
3552 internet. You think you are above the law because, in a
3553 sense, Congress gave you that power, but Congress gave you
3554 that liability shield to one end: that was the protection of
3555 innocent children. Catherine McMorris Rodgers knocked it out
3556 of the park today, hammering the point where children are
3557 vulnerable.

3558 But let's look at the John Doe vs. Twitter case that is

3559 ongoing right now. According to the National Center on
3560 Sexual Exploitation, a teenage boy, a victim of child sex
3561 trafficking, had images of his abuse posted on Twitter. One
3562 of those videos went viral, and he became the target of
3563 bullying to the point of being suicidal. He contacted you to
3564 alert you that his sex abuse images were on your platform.
3565 You failed to take them down. His mother contacted you to
3566 alert you, and again you failed to take them down.

3567 They called the police and they followed up with you
3568 with a police report. Your support center told the family
3569 that after review, the illegal video was not a violation of
3570 your terms of service. In the meantime, the illegal video
3571 accrued over 167,000 views.

3572 It took a threat from a Homeland Security agent to Get
3573 Twitter to take down the video. Even then you took no action
3574 against the accounts that were sharing it and continue to
3575 share sexually explicit videos of minors in clear violation
3576 of the law and in clear violation of your duties under
3577 Section 230 of the Communications Decency Act, as they were
3578 passed.

3579 So in the eyes of Twitter, it is better to be a
3580 pedophile pornographer, a woke racist, or a state sponsor of
3581 terror than it is to be a conservative, even a conservative
3582 President. You have abused the Section 230 liability shield
3583 we gave you to protect children, and used it to silence

3584 conservatives instead.

3585 As we have heard today, your abuses of your privilege
3586 are far too numerous to be explained away and far too serious
3587 to ignore. So it is time for your liability shield to be
3588 removed. Your immunity shield and the immunity shield of
3589 other woke companies who choose to score political points
3590 with their immunity shields rather than protect children.

3591 My colleagues have been asking you if you deserve to
3592 continue to receive immunity under Section 230. Let me
3593 answer the question for you. No, you don't. You all think
3594 you do, but you don't because you continue to do a disservice
3595 to that law and its intent.

3596 The United States constitution has the First Amendment,
3597 and that should be your guide. Protecting the speech of
3598 users of your platform instead of trading them in like
3599 hostages and forcing things through algorithms to lead them
3600 down a path.

3601 The American people really are tired of you abusing your
3602 rights, abandoning their values. So one of the Christian
3603 leaders that you banned, Mr. Dorsey, had as her last post a
3604 scripture verse that you took down. And I want to leave it
3605 here today, Psalm 34:14. Depart from evil and do good. See
3606 peace and pursue it. Rather than silence that wise advice, I
3607 strongly suggest that you follow it.

3608 Now, I have heard a lot of stuff on this hearing today

3609 about 230 protections. I challenge my colleagues to really
3610 get serious about doing something about this liability shield
3611 so that we do have a fair and free internet and people aren't
3612 censored.

3613 With that, Mr. Chairman, I yield back.

3614 *Mr. Doyle. The gentleman's time is expired.

3615 The chair recognizes Ms. Kelly for five minutes.

3616 *Ms. Kelly. Thank you, Mr. Chair. Thank you to the
3617 witnesses who are testifying today.

3618 The business model for your platforms is quite simple:
3619 Keep users engaged. The more time people spend on social
3620 media, the more data harvested and targeted ads sold. To
3621 building that engagement, social media platforms amplify
3622 content that gets attention. That can be cat videos or
3623 vacation pictures, but too often it means content that is
3624 incendiary, contains conspiracy theories or violence.

3625 Algorithms in your platforms can actively funnel users
3626 from the mainstream to the fringe, subjecting users to more
3627 extreme content, all to maintain user engagement. This is a
3628 fundamental flaw in your business model that mere warning
3629 labels, temporary suspension of some accounts, and even
3630 content moderation cannot address. And your company's
3631 insatiable desire to maintain user engagement will continue
3632 to give such content a safe haven if doing so improves your
3633 bottom line.

3634 I would like to ask my first question of all the
3635 witnesses. Do each of you acknowledge that your company has
3636 profited off harmful misinformation, conspiracy theories, and
3637 violent content on your platform? Just say yes or no.
3638 Starting with Mr. Dorsey, yes or no?

3639 *Mr. Dorsey. No. That is not our business.

3640 *Ms. Kelly. Mr. Zuckerberg?

3641 *Mr. Zuckerberg. No, Congresswoman. I don't think we
3642 profit from it. I think it hurts our service.

3643 *Ms. Kelly. Mr. Pichai?

3644 *Mr. Pichai. Congresswoman, it is certainly not our
3645 intent, and we definitely do not want such content. And we
3646 have clear policies against it.

3647 *Ms. Kelly. Well, since you all said no, can you please
3648 provide to me in writing how you manage to avoid collecting
3649 revenue from ads either targeted by or served on such
3650 content? So I will be expecting that.

3651 There is a difference between a conversation in a living
3652 room and one being pumped out to millions of followers, from
3653 discouraging voting and COVID-19 misinformation to
3654 encouraging hate crimes. The harms are real and
3655 disproportionate.

3656 Do you acknowledge that such content is having
3657 especially harmful effects on minorities and communities of
3658 color? Yes or no again? I don't have a lot of time, so yes

3659 or no? Mr. Dorsey?

3660 *Mr. Dorsey. Yes.

3661 *Ms. Kelly. Mr. Pichai?

3662 *Mr. Pichai. Yes.

3663 *Ms. Kelly. Mr. Zuckerberg?

3664 *Mr. Zuckerberg. Yes. I think that's right.

3665 *Ms. Kelly. Thank you. If your financial incentive is
3666 that human psychology leads to the creation of a system that
3667 promotes emotionally charged content that is often harmful,
3668 do you believe that you can address the -- do you believe
3669 that you will always need to play whack-a-mole on different
3670 topics? Mr. Zuckerberg?

3671 *Mr. Zuckerberg. Congressman, I do think that we can
3672 take systematic actions that help to reduce a large amount of
3673 this. But there will always be some content that gets
3674 through those systems that we will have to react to.

3675 *Ms. Kelly. Mr. Dorsey?

3676 *Ms. Kelly. That is not our incentive, but I agree with
3677 Mark. Our model is to constantly integrate. We are going to
3678 miss some things, and we will go too far in some cases.

3679 *Ms. Kelly. Mr. Pichai?

3680 *Mr. Pichai. I agree largely with what Mark and Jack
3681 said. And we -- a lot of channels, we remove thousands of
3682 misleading election videos. There are many involving
3683 threats, and we are very vigilant.

3684 *Ms. Kelly. Okay. More transparency and research into
3685 the AI models you use is needed. I understand that they are
3686 constantly evolving and proprietary. However, those
3687 obstacles must not be insurmountable. Would you agree to
3688 some type of test bed to evaluate your procedures and
3689 technology for disparate impacts? And would you welcome
3690 minimal standards set by the government? I only have 44
3691 seconds.

3692 *Mr. Dorsey. I will go. You are not calling us. But
3693 we -- yes. We are interested in opening all this up and
3694 going a step further in having a protocol. I don't think
3695 that should be government-driven, but it should be open and
3696 transparent that the government can look at it and understand
3697 how it works.

3698 *Mr. Zuckerberg. I agree that this is an area where
3699 research would be helpful. And I think some standards,
3700 especially amongst the civil rights community, would be
3701 helpful guidance for the companies.

3702 *Mr. Pichai. Congresswoman, we work with many third
3703 parties. I just mentioned the Heart collaboration we had.
3704 Definitely would be open to conversations about minimum
3705 standards. It is an important area.

3706 *Ms. Kelly. Thank you. I yield back.

3707 *Mr. Doyle. The gentlelady's time is expired. The
3708 chair now recognizes Mr. Dunn for five minutes.

3709 *Mr. Dunn. Thank you very much, Mr. Chairman.

3710 Many of the questions today deal with personal arms.

3711 But there are long-term economic and security arms to our
3712 country I would like us to keep in mind as well.

3713 I represent Florida's 2nd congressional district, which
3714 is proud to host a large presence of the U.S. military,
3715 including civilian support companies. One of these is
3716 Applied Research Associates, which is doing great work with
3717 our military in the field of artificial intelligence and
3718 machine learning.

3719 I agree with our Nation's top national security experts
3720 on the critical importance of the United States maintaining
3721 its competitive edge in AI. And I share the concern of
3722 former Google CEO Eric Schmidt, who warned just a few weeks
3723 ago of the grave consequences should we lose that edge to
3724 China.

3725 Leader Rodgers led a bipartisan bill enacted last year,
3726 the American Compete Act, to lay out clear AI strategy. We
3727 all recognize that China is not a good place to do business,
3728 evidenced by the fact that all of your respective main
3729 products and services are banned there. It is clear that the
3730 influence of the Chinese Communist Party permeates the entire
3731 corporate structure in China. Xi Jinping himself stated his
3732 goal of integrating the party's leadership into all aspects
3733 of corporate governance.

3734 Let's be clear with each other. It is impossible to do
3735 business in China without either directly or indirectly
3736 aiding the Chinese Communist Party. It is also important to
3737 state for the record that each of your business models
3738 involve collecting data from individuals who use your product
3739 and then using that data for some other purpose.

3740 Mr. Pichai, I am deeply concerned with Google's pursuit
3741 of and investment in artificial intelligence research in
3742 China, widely reported over the last few years. First and
3743 foremost, can you assure Americans that their personal data,
3744 regardless of how you think you have de-identified it, data
3745 you collect when they use Google and which is central to your
3746 algorithms, is not used in your artificial intelligence
3747 collaboration with the Chinese Government?

3748 *Mr. Pichai. Congressman, I want to correct any
3749 misperceptions here. We do not have an AI research center in
3750 China now. We had a limited presence working on open source
3751 projects, primarily on open source projects and around K
3752 through 12 education with a handful of employees. We don't
3753 have that any more. Compared to our peers, we don't offer
3754 our core services in China, products like search, YouTube,
3755 Gmail, et cetera.

3756 *Mr. Dunn. I am going to have to reclaim my time
3757 because it is limited. But I want your team to follow up
3758 with me because I am honestly somewhat skeptical. I think

3759 you had three centers there in China. And I want to know
3760 more about what they are doing, and also what material they
3761 are using.

3762 And I want to be clear. I am not just suggesting that
3763 simply doing business in a country means that you endorse all
3764 their policies. As a former businessman myself, I know the
3765 politics all too often get in the way of what we are trying
3766 to do. However, Google's own list of artificial intelligence
3767 principles states that it will not collaborate on
3768 technologies to gather or use information for surveillance,
3769 violating international accepted norms or contravenes widely
3770 accepted principles of international law and human rights.

3771 We know that the Chinese Communist Party is using
3772 artificial intelligence technology to spread misinformation
3773 and suppress the pro-democracy movement in Hong Kong as well
3774 as using that technology in its genocidal crimes against the
3775 Uyghurs, including murdering them for their organ harvesting.

3776 Once again, can you be sure that none of the work you
3777 are doing in collaboration with the Chinese government is not
3778 aiding them in this ability?

3779 *Mr. Pichai. Congressman, happy to follow up a clarify
3780 the limited work on AI we undertake. It is primarily around
3781 open source projects. And very happy to engage and very
3782 specifically follow up on what we do.

3783 *Mr. Dunn. Well, I think that is great. And I know I

3784 am running out of time here, but I ask that we continue this
3785 dialogue. And I think Google would be very well served by
3786 promoting greater transparency in all of its actions
3787 regarding artificial intelligence in China. Your customers
3788 have a right to know about this.

3789 In 2018, Diane Greene, former CEO of Google Cloud,
3790 noted, "We believe the uses of our cloud and artificial
3791 intelligence will prove to be overwhelmingly positive for the
3792 world. But we also recognize we cannot control all
3793 downstream uses of our technology."

3794 Well, a good place to start would be to end this
3795 dangerous artificial intelligence research relationship with
3796 China. So with that, Mr. Pichai, thank you. Thank you, all
3797 the members of the witness panel.

3798 And Mr. Chairman, I yield back.

3799 *Mr. Doyle. The gentleman yields back.

3800 The chair recognizes Mr. McEachin for five minutes.

3801 *Mr. McEachin. Thank you, Mr. Chairman. And to you
3802 and Chairman Pallone and Chairwoman Schakowsky, thank you
3803 for convening today's hearing and for our witnesses for
3804 joining us.

3805 In July of last year, I led more than 30 of my
3806 colleagues, including several on this committee, in a letter
3807 to your companies asking what you were doing to halt the
3808 spread of climate change disinformation on your platforms.

3809 As my colleagues and I clearly expressed in our letter,
3810 climate change is a real and urgent threat, and the spread
3811 of disinformation on your platforms is undermining that fact.

3812 For instance, the World Health Organization estimates
3813 that climate change causes 150,000 deaths annually, a number
3814 that will only increase in the coming years. All this begs a
3815 simple question: Why do you recall platforms not treat
3816 climate change disinformation with a sense of immediacy and
3817 alarm?

3818 Mr. Zuckerberg, Facebook recently implemented the
3819 Climate Change Information Center, which directs users to a
3820 landing page with climate change facts from researchers and
3821 organizations. are you able to share data on how widespread
3822 a problem climate change disinformation is on your platform
3823 and how much the Climate Change Information Center has
3824 reduced it?

3825 *Mr. Zuckerberg. Sure. Thanks, Congressman. Our
3826 approach to fighting misinformation -- of which climate
3827 misinformation, I think, is a big issue, so I agree with your
3828 point here. We take a multi-pronged approach. One is to try
3829 to show people authoritative information, which is what the
3830 Climate Information Center does.

3831 But then we also try to reduce the spread of
3832 misinformation around the rest of the service through this
3833 independent third-party fact-checking program that we have in

3834 which one of the fact-checkers is specifically focused on
3835 science feedback and climate feedback type of issues.

3836 Overall, I would be happy to follow up and share more
3837 details on what we have seen across those. But this is
3838 certainly an area that I agree is extremely important and
3839 needs multiple tactics to address.

3840 *Mr. McEachin. Well, thank you. And it is my
3841 understanding that this climate center was modeled after your
3842 COVID-19 Information Center. However, different standards
3843 still apply for both organic content and paid-for advertising
3844 for climate change versus COVID-19.

3845 Why does Facebook not apply the same standards of fact-
3846 checking on climate change that it does on COVID-19 content?

3847 *Mr. Zuckerberg. Congressman, you are right that the
3848 Climate Information Center was based off our work on the
3849 COVID Information Center and Election Information Center. In
3850 terms of how we treat misinformation overall, we divide the
3851 misinformation into things that could cause imminent physical
3852 harm, of which COVID misinformation that might lead someone
3853 to get sick or hurt or vaccine misinformation, falls in the
3854 category of imminent physical harm, and we take down that
3855 content.

3856 Then other misinformation are things that are false but
3857 may not lead to imminent physical harm we label and reduce
3858 their distribution but leave them up. So that is the broad

3859 approach that we have, and that sort of explains some of the
3860 differences between some of the different issues and how we
3861 approach them.

3862 *Mr. McEachin. Mr. Pichai -- and I hope I am
3863 pronouncing that correctly, sir -- YouTube has employed
3864 contextualization tools linking viewers to similar sources a
3865 Facebook's Climate Center. That being said, you restricted
3866 but have not removed some repeat offenders from your platform
3867 such as Prager University, a nonaccredited university
3868 producing climate change denial content.

3869 Are you not concerned that by restricting those videos
3870 and not removing repeat offenders, that people who are
3871 determined to find those videos to validate their fears will
3872 indeed find them and share them with others?

3873 *Mr. Pichai. Congressman, it is an incredibly area. In
3874 general, in these areas we rely on raising authoritative
3875 information, both by showing information panels as well as
3876 a raising scientific content, academic content, and
3877 journalistic content so our algorithms rank those types of
3878 content higher for an area like climate change, similar to
3879 election integrity and COVID.

3880 And obviously it is an area where there is a range of
3881 opinions people can express. We have clear policies and if
3882 it is violative, we remove. If it is not violative but if it
3883 is not deemed to be of high quality, we don't recommend the

3884 content. And that is how we approach it and we are committed
3885 to this area as a company.

3886 We lead in sustainability. We have committed to
3887 operating 24/7 on a carbon-free basis by 2030. And it is an
3888 area where we are investing significantly.

3889 *Mr. McEachin. Well, thank you. I have run out of
3890 time. Mr. Dorsey, I apologize to you. Perhaps we will have
3891 an opportunity to have a conversation.

3892 Mr. Chairman, I give you my two seconds.

3893 *Mr. Doyle. I thank the gentleman. The gentleman
3894 yields back.

3895 The chair now recognizes Mr. Curtis for five minutes.

3896 *Mr. Curtis. Thank you, Mr. Chairman. And thank you to
3897 our witnesses.

3898 My first comment is to point out that in her 2019
3899 presidential campaign, Senator Elizabeth Warren, Democrat,
3900 called for the breaking up of your companies. Several weeks
3901 ago, in a speech at CPAC, Senator Josh Hawley, Republican,
3902 also said that Big Tech companies should be broken up. I
3903 don't think I need to point out the irony of Josh Hawley
3904 validating Elizabeth Warren at CPAC.

3905 There seems to be a train wreck coming. Unfortunately,
3906 the very few tools that we have in our tool bag are
3907 regulation and breaking up. Mr. Zuckerberg, I read through
3908 your Terms of Service, including the dense Community

3909 Standards document. In your Terms of Service, you state that
3910 you cannot control and do not take responsibility for content
3911 posted on your platform.

3912 The Community Standards document, which is frequently
3913 cited as why content is or is not censored, says you
3914 sometimes make content moderation decisions based off what is
3915 considered best for the public interest or public discourse.

3916 I know in your testimony you said that companies need to
3917 earn their liability protections. That is great. But that
3918 doesn't address the concerns people understandably share
3919 about your past or current view on what is or is not
3920 acceptable.

3921 How do you claim you cannot take responsibility and
3922 therefore should maintain your liability protections for
3923 content posted on your site, but at the same time state that
3924 your platform or monitored content based off what is in the
3925 public's best interest? That appears to be two-sided.

3926 *Mr. Zuckerberg. Congressman, thanks. People use our
3927 services to share and send messages billions of times a day.
3928 And it would be impossible for us to scan or understand
3929 everything that was going on, and I don't think that our
3930 society would want us to take the steps that would be
3931 necessary to monitor every single thing. I think that we
3932 would think that that would infringe on our freedoms.

3933 So broadly, I think it is impossible to ask companies to

3934 take responsibility for every single piece of content that
3935 someone posts, and that, I think, is the wisdom of 230. At
3936 the same time, I do think that we should expect large
3937 platforms to have effective systems for being able to handle,
3938 broadly, speaking, categories of content that are clearly
3939 illegal.

3940 So we have talked today about child exploitation and
3941 opioids and sex trafficking and things like that. And I
3942 think it is reason to expect that companies have systems that
3943 are broadly effective, even if they are not going to be
3944 exactly perfect, and there are still going to be some pieces
3945 of content that inevitably get through, just like no police
3946 department in the city is able to eliminate all crime.

3947 *Mr. Curtis. I am going to jump in only because we are
3948 out of time. I would love to spend more time on that with
3949 you.

3950 Let me also ask you, Utah is known for Silicon Slopes,
3951 our startup community. You have called for government
3952 regulation, but some view this with skepticism because larger
3953 companies tend to deal with regulation much better than small
3954 companies.

3955 If you think back to your college days, the early
3956 startup phase of Facebook, what challenges do you see for
3957 startups to compete, and what cautions should Congress
3958 consider as we look at regulations that potentially could be

3959 a barrier for companies that must might be your future
3960 competition?

3961 *Mr. Zuckerberg. Thanks. I think that this is a really
3962 important point whenever we are talking about regulation.
3963 And I want to be clear that the recommendations that I am
3964 making for Section 230 I would only have applied to larger
3965 platforms.

3966 I think it is really critical that a small platform, the
3967 next student in a dorm room or in a garage, needs to have a
3968 relatively low -- as low as possible regulatory burden in
3969 order to be able to innovate and then get to the scale where
3970 they can afford to put those kind of systems in place. So I
3971 think that that is a really important point to make.

3972 But I think that that goes for the content discussions
3973 that we are having around 230. It probably also applies to
3974 the privacy law that I hope that Congress will pass this year
3975 or next year to create a Federal U.S. privacy standard. And
3976 I also think that we should be exploring proactively,
3977 requiring things like data portability that would make it
3978 easier for people to take data from one service to another.

3979 *Mr. Curtis. I want to thank you. I have got just a
3980 few seconds left. And Mr. Pichai, this is a little bit off
3981 topic so I am simply going to ask this question and submit it
3982 for the record and not ask for a response.

3983 Almost a decade ago your company started Google Fiber.

3984 You introduced Kid Speed and free internet to all the
3985 residents of my home city, Provo, Utah. Sadly, it seems like
3986 your efforts to do this across the country were slowed down
3987 or even stopped by excessive government regulations. I would
3988 love you to share, off the record and I will submit it for
3989 the record, why government is making it so hard to expand
3990 internet across the country.

3991 Thank you, Mr. Chairman, and I yield my time.

3992 *Mr. Doyle. The gentleman yields back.

3993 The chair recognizes Mr. Soto for five minutes.

3994 *Mr. Soto. Thank you, Mr. Chairman.

3995 When television, radio, traditional newspapers,
3996 political blogs, and even private citizens spread lies, they
3997 can be sued and held liable for damages or FCC fines. But
3998 pursuant to 230, you all can't be sued. You have immunity.
3999 But it ain't 1996 anymore, is it? Meanwhile, lies are
4000 spreading like wildfire through platforms. Americans are
4001 getting hurt or killed. And the reason is your algorithms.

4002 I want you to all know I was held captive in the gallery
4003 during the Capitol insurrection. I was surrounded by
4004 domestic terrorists that killed the Capitol police officer,
4005 ransacked the Capitol, and almost disrupted a presidential
4006 election. And many of these domestic terrorists plotted on
4007 your platforms. I think we all understand by now this
4008 violence is real. And so this is why we are here today, in

4009 the committee of jurisdiction, with power to protect our
4010 fellow Americans.

4011 Mr. Zuckerberg had mentioned effective moderation
4012 systems. So now we know you have systems that can prevent
4013 many of these harms. Thank you for your statements
4014 supporting accountability today, and even for championing
4015 support of accountability now.

4016 So the question is: What specific changes to
4017 Section 230 do you support to ensure more accountability?
4018 Mr. Zuckerberg just mentioned categories of content that are
4019 clearly illegal, U.S. privacy standards, and data portability
4020 as three standards we should be looking at.

4021 Mr. Pichai, should we be creating these standards and
4022 then holding platforms accountable if they violate them under
4023 230?

4024 *Mr. Pichai. Congressman, first of all, there are many
4025 ways and there are many laws today which do hold us liable.
4026 FTC has oversight, we have a consent decree with the FCC,
4027 COPPA, HIPAA, et cetera, and for example, areas where there
4028 are privacy laws, and we have called for Federal privacy
4029 legislation, but in Europe, the GDPR. In California, we have
4030 privacy State legislation. We are both accountable as well
4031 as we are subject to private plaintiff action against these
4032 statutes.

4033 *Mr. Soto. So Mr. Pichai, you agree with these

4034 categories that were just outlined by Mr. Zuckerberg. Is
4035 that correct?

4036 *Mr. Pichai. I definitely think what Mark is talking
4037 about around lines of transparency and accountability are
4038 good proposals to think through. There are various
4039 legislative proposals; among those --

4040 *Mr. Soto. Excuse me. My time is -- Mr. Dorsey, do you
4041 think we should be establishing categories of content that
4042 are clearly illegal, U.S. privacy standards, and data
4043 portability, as well as penalties for violation of those
4044 standards?

4045 *Mr. Dorsey. I believe, as we look upon 230 and
4046 evolutions of it in putting upon it, I think we need more
4047 transparency around content moderation practices, not just
4048 policies. I think we need more robust appeals processes.
4049 And I think the real issue is algorithms and giving people
4050 more choice around algorithms, more transparency around
4051 algorithms. So if there is any one I would pick, it would be
4052 that one. It is a tough one, but it is the most impactful.

4053 *Mr. Soto. Thank you, Mr. Dorsey.

4054 Mr. Zuckerberg, political misinformation spread
4055 rampantly, unfortunately, in Spanish in Florida's Hispanic
4056 community on Facebook in the 2020 presidential election even
4057 with the political ad ban. How do you think this happens?
4058 Mr. Zuckerberg?

4059 *Mr. Zuckerberg. Congressman, it is -- I do still think
4060 that there is too much misinformation across all of these
4061 media that we have talked about today. How did it happen? I
4062 mean, it is -- I think we have talked to a lot today about
4063 algorithms. I actually think a lot of this stuff happens in
4064 what we refer to as deterministic products like messaging.
4065 Right? Someone sends a text message to someone else. There
4066 is no algorithm there determining whether that gets
4067 delivered. People can just send that to someone else.

4068 A lot of this stuff, I think, unfortunately was
4069 amplified on TV and in traditional news as well. There was
4070 certainly some of this content on Facebook, and it is our
4071 responsibility to make sure that we are building effective
4072 systems that can reduce the spread of that. I think a lot of
4073 those systems performed well during this election cycle. But
4074 it is an iterative process, and there are always going to be
4075 new things that we will need to do to keep up with the
4076 different threats that we face.

4077 *Mr. Soto. Mr. Zuckerberg, will you commit to boosting
4078 Spanish language moderators and systems on Facebook,
4079 especially during election season, to help prevent this from
4080 happening again in Spanish language?

4081 *Mr. Zuckerberg. Congressman, this is already something
4082 that we focus on. We already beefed up and added more
4083 capacity to Spanish language fact-checking and Spanish

4084 language authoritative information resources. And that is
4085 certainly something that we hope to build on in the future.
4086 So the answer to your question is yes.

4087 *Mr. Doyle. The gentleman's time is expired.

4088 The chair now recognizes Mrs. Lesko for five minutes.

4089 *Mrs. Lesko. Thank you, Mr. Chair, and thank you to the
4090 witnesses.

4091 I represent constituents in the great State of Arizona,
4092 and most of my constituents just want to be treated fairly,
4093 equitably, impartially, and they want to make sure that their
4094 private information stays private.

4095 Mr. Pichai, does Wikipedia influence Google's search
4096 results?

4097 *Mr. Pichai. We do index, and Wikipedia is in our
4098 index. And for certain queries, if an answer from Wikipedia
4099 rises to the top of our ranking, yes, we do rely on it.

4100 *Mrs. Lesko. Thank you.

4101 Mr. Dorsey, did you personally decide to ban President
4102 Trump from your platform?

4103 *Mr. Dorsey. We have a process that we go through to
4104 get there, and that came after a warning.

4105 *Mrs. Lesko. And did you make the final decision?

4106 *Mr. Dorsey. Ultimately, I have final responsibility.

4107 *Mrs. Lesko. Thank you.

4108 And Mr. Pichai, in July 2018 the Wall Street Journal

4109 reported that Google let hundreds of outside developers scan
4110 the inboxes of millions of Gmail users. Mr. Pichai, do
4111 Google employees review and analyze Gmail users' content?

4112 *Mr. Pichai. Congresswoman, we take privacy very
4113 seriously. We don't use the data from Gmail for advertising,
4114 and our employees generally do not access it, only in narrow
4115 cases, either to troubleshoot with the right consent and
4116 permissions. There are prohibitions with enough checks and
4117 balances.

4118 *Mrs. Lesko. So I think what you are saying is
4119 occasionally your Google employees to review and analyze.

4120 I have another question regarding that. Does Google
4121 share Gmail users' emails or analysis of your emails with
4122 third parties?

4123 *Mr. Pichai. We do not sell any data. I think what you
4124 are referring to is users could give API access to third
4125 party developers -- for example, there are applications which
4126 could give travel-related information. So this is a user
4127 choice, and it is an API on top of the platforms. We have
4128 done numerous steps to make sure users have to go through
4129 multiple steps before they would give consent to a third
4130 party.

4131 *Mrs. Lesko. And so I have looked through your Google
4132 Privacy Statements and User Content, and I still have
4133 concerns about that. I am very concerned. I have Gmail

4134 accounts, just like millions of people, and I don't know if
4135 you are looking at them. I don't know who is looking at
4136 them. I don't know who is sharing them. I don't know what
4137 you are doing with them.

4138 *Mr. Pichai. If I --

4139 *Mrs. Lesko. You make me concerned. Mr. -- I only
4140 have --

4141 *Mr. Pichai. If I could clarify one thing I said there?

4142 *Mrs. Lesko. Yes.

4143 *Mr. Pichai. Only if a user asks us to troubleshoot an
4144 account, with that user permission. But we do not look into
4145 users' email contents, and we do not share the contents with
4146 anyone else without the user's asking us to do so.

4147 *Mrs. Lesko. However, the Wall Street Journal had this
4148 article saying that hundreds of developers were reviewing the
4149 email contents. So I have to move on to another question
4150 because I only have a short time.

4151 Mr. Dorsey, Twitter denied the Center for Immigration
4152 Studies the ability to promote four tweets that contained the
4153 phrases "illegal alien" and "criminal alien," even though
4154 those are the correct legal terms. Mr. Dorsey, if there is a
4155 warning posted related to a border threat, how will Twitter
4156 algorithms react to the use of the word "illegal" versus
4157 "undocumented"?

4158 *Mr. Dorsey. Well, it isn't about our algorithms. It

4159 is interpretation against our policy and if there are
4160 violations. But we can follow up with you on how we handle
4161 situations like that.

4162 *Mrs. Lesko. Well, this is the legal term, is "illegal
4163 alien.'" That is in law, in legal terms. I don't understand
4164 why you would not allow that. That is the legal, factual
4165 term. And with that, I am going to ask another question.

4166 Mr. Zuckerberg, this has been brought up before. Do you
4167 believe that your platform harms children?

4168 *Mr. Zuckerberg. Congresswoman, I don't believe so.
4169 This is something that we study and we care a lot about;
4170 designing products that peoples' well-being is very important
4171 to us. And what our products do is help people stay
4172 connected to people they care about, which I think is one of
4173 the most fundamental and important human things that we do,
4174 whether that is for teens or for people who are older than
4175 that.

4176 And again, our policies on the main apps that we offer
4177 generally prohibit people under the age of 13 from using the
4178 services.

4179 *Mr. Doyle. The gentlelady's time is expired.

4180 The chair now recognizes Mr. O'Halloran for five
4181 minutes.

4182 *Mr. O'Halloran. Thank you, Mr. Chairman. I am
4183 enlightened. Thank you to the pane today.

4184 I am enlightened by what I have heard today. Three of
4185 the most knowledgeable business people in the word, with
4186 beautiful profit centers, business models, a sense of the
4187 future direction that your companies want to go in, standards
4188 that are in many cases reliable but others not very much so,
4189 and a very big concern by the Congress of the United States
4190 on the direction you want to go in versus what is good for
4191 our Nation in total.

4192 Mr. Zuckerberg, last October Facebook announced it
4193 removed a network of 202 accounts, 54 pages, and 76 Instagram
4194 accounts for violating your coordinated inappropriate
4195 behavior policy. A really forged network was based in [audio
4196 disruption] Arizona and ran its disinformation operation from
4197 2018 to 2020 by creating fake accounts and commenting on
4198 other people's content about the 2018 midterm election, the
4199 2020 presidential election, COVID-19, and criticism and
4200 praise of creation of certain political parties and
4201 presidential candidates. Sadly, Facebook only acted after a
4202 Washington Post investigation reported its findings.

4203 While your testimony states since 2017 Facebook has
4204 removed over 100 networks of accounts for engaging in
4205 coordinated, inauthentic behavior, where did Facebook
4206 fail by not finding this network over the course of a number
4207 of years? Mr. Zuckerberg,

4208 *Mr. Zuckerberg. Well, Congressman, we have a team of

4209 -- I think it is more than 300 people who work on
4210 counterterrorism at this point, and basically trying to work
4211 with law enforcement and across the industry to basically
4212 find these networks of fake accounts and authentic accounts
4213 that are trying to spread behavior.

4214 And I think we have gotten a lot more effective at this.
4215 I can't say that we catch every single one, but certainly I
4216 think we have gotten a lot more effective, including just
4217 this week we announced that we took down a network of Chinese
4218 hackers that were targeting Uyghur activists outside of
4219 China.

4220 So we have gotten more sophisticated at this. Sometimes
4221 when we start finding a lead, we need to wait to kind of see
4222 the full extent of the network so we can take down the whole
4223 network. So that is a tradeoff that sometimes we are able to
4224 discuss with law enforcement and other times not, in terms of
4225 how we do enforcement. But overall, I think this effort has
4226 gotten a lot more sophisticated over the last four years.

4227 *Mr. O'Halloran. So you are happy with the amount of
4228 personnel that you have working on these issues?

4229 *Mr. Zuckerberg. Congressman, I think we have one of
4230 the leading teams in this area. We went from more than --

4231 *Mr. O'Halloran. Are you happy with -- the question
4232 was: Are you happy with the amount of people you have
4233 working, the capacity that you have to take care of these

4234 issues?

4235 *Mr. Zuckerberg. Congressman, I think that the team is
4236 well-staffed and well-funded. We spend billions of dollars a
4237 year on these kind of content and integrity and security
4238 issues across the company. So I think that that is
4239 appropriate to meet the charge. And there are always things
4240 that we are going to want to do to improve the tactics of how
4241 we find this, and a lot of that over the last several years
4242 has been increasing the work that we do with law enforcement
4243 and the intelligence community --

4244 *Mr. O'Halloran. I am going to move on to another
4245 question, Mr. Zuckerberg. Thank you very much. I do want to
4246 say that, again, you are a bright, intelligent CEO. You know
4247 in advance what you want. Your algorithms are created by
4248 your company and the other companies. You have control over
4249 those algorithms.

4250 And so the idea that you have to work maybe in this
4251 direction, Mr. Zuckerberg, Facebook's most recent Community
4252 Standards enforcement report States that 2.5 million pieces
4253 of content related to suicide and self-injury were removed in
4254 the fourth quarter of 200 due to increased reviewer capacity.

4255 You can do this if you want to do all this stuff. Very
4256 briefly explain what policies Facebook put in place to
4257 reviewer capacity, not just on that issue but across the --
4258 how much over time has this occurred that you continue to

4259 increase reviewer capacity?

4260 *Mr. Zuckerberg. Sure, Congressman. The biggest thing
4261 that we have done is automated a lot of this by building AI
4262 tools to identify some of this. So now, for example, more
4263 than 98 percent of the hate speech that we take down is done
4264 by an AI and not by a person. I think it is 98 or 99 percent
4265 of the terrorist content that we take down is identified by
4266 an AI and not a person. And you mentioned the suicide
4267 content as well, which I think a high 90s percent is
4268 identified by AI rather than --

4269 *Mr. O'Halloran. Mr. Zuckerberg, I am over my time. I
4270 want to thank the chair, and I also want to state very
4271 briefly that you have a lot of work to do, you and your other
4272 cohorts on this panel. Thank you.

4273 *Mr. Doyle. The gentleman's time is expired.

4274 The chair recognizes Mr. Pence for five minutes.

4275 *Mr. Pence. Thank you, Chairs Doyle and Schakowsky and
4276 Ranking Members Latta and Bilirakis, for holding this joint
4277 subcommittee meeting hearing. And thank you to the witnesses
4278 for appearing before us today.

4279 The extent to which your platforms engulf our lives is
4280 reminiscent to the all-encompassing entities we have seen
4281 over the past century. In the early 1900s, Standard Oil had
4282 a monopoly on over 90 percent of our country's refining
4283 business. By the 1970s, if you used a telephone, it was

4284 going to be Ma Bell's system.

4285 In each instant, you could choose not to use either
4286 product. But participation in society demanded that you use
4287 both. In a similar sense, it is difficult if not impossible
4288 to participate in society today without coming across your
4289 platforms and using them. We could choose not to use them,
4290 but like oil and telecommunications, it is considered
4291 essential, and so many other people do use it.

4292 Even the government has become an equal contributor.
4293 Each Member of Congress and every Senator is all but required
4294 to use your platforms to communicate with their constituents
4295 while we are in Washington, D.C. I know you understand that
4296 your platforms have a responsibility to act in good faith for
4297 Hoosiers and all Americans.

4298 Unfortunately, regularly my Facebook and Twitter
4299 accounts, like many of my peers and other people I know, are
4300 littered with hateful, nasty arguments between constituents
4301 that stand in complete opposition to the ideas of civil
4302 discos that your platforms claim to uphold and that you have
4303 referenced today.

4304 I am sure you are aware that official government
4305 accounts have restrictions that significantly limit our
4306 ability to maintain a platform that is a productive resource
4307 of information to the public. They have essentially become a
4308 micro town hall without a moderator on social media.

4309 I agree with all your testimonies that a trust deficit
4310 has been growing over the past several years. And as some of
4311 you have suggested, we need to do something about it now.
4312 The way in which you manage your platforms in an inconsistent
4313 manner, however, has deepened this distrust and devolved the
4314 public conversation.

4315 My constituents in Southeast Indiana have told me they
4316 are increasingly mistrustful of your platforms, given how you
4317 selectively enforce your policies. There are just a few
4318 examples of how this has occurred. Members of the Chinese
4319 Communist Party have verified Twitter accounts to regularly
4320 peddle false and misleading claims surrounding the human
4321 rights violations we know are occurring in Northern China.

4322 Twitter gives the Supreme Leader of Iran a megaphone to
4323 proclaim derogatory statements endorsing violence against the
4324 U.S. and Western culture. Twitter accounts associated with
4325 the Supreme Leader have called Israel a "cancerous tumor,"
4326 and called for the eradication of the Zionist regime. This
4327 happens as he also bans the service for his own people to
4328 restrict their free expression.

4329 Mr. Dorsey, clearly you need to do more to address
4330 content that violates your policies. I have two questions
4331 for you. Why is the Chinese Communist Party allowed to
4332 continue the use of your platform after pushing propaganda to
4333 cover up human rights abuses against Muslims in Northern

4334 China? And two, why does the Supreme Leader of Iran still
4335 half a platform to make threats against Israel and America?

4336 *Mr. Dorsey. So first and foremost, we do label those
4337 Chinese accounts so that people have context as to where they
4338 are coming from. That is on every single tweet, so people
4339 understand the source. We think that is important.

4340 We are reviewing our world leaders policy. We are
4341 actually taking public comment review right now. So we are
4342 enabling anyone to give us feedback on how --

4343 *Mr. Pence. If I may interrupt you quickly, Mr. Dorsey,
4344 on that very point, Iran has been supporting Hezbollah, and
4345 it is not just saber-rattling, as you have made the statement
4346 or your company has made the statement. They have done
4347 serious damage to whole countries and people, and as I served
4348 in the military, they killed hundreds of Marines many years
4349 ago. So I don't know what you have to study about this.

4350 Mr. Chairman, I yield back.

4351 *Mr. Doyle. The gentleman yields back.

4352 The chair recognizes Miss Rice for five minutes.

4353 *Miss Rice. Thank you, Mr. Chairman.

4354 Mr. Dorsey, what does "Winning: Yes or No?" on your
4355 Twitter account poll?

4356 *Mr. Dorsey. Yes.

4357 *Miss Rice. Hmm. Your multitasking skills are quite
4358 impressive.

4359 In December of 2020, the House Committee on Veterans
4360 Affairs released a report entitled, "Hijacking Our Heroes:
4361 Exploiting Veterans Through Disinformation on Social Media.'"'
4362 I ask unanimous consent, Mr. Chairman, that this report be
4363 submitted for the record.

4364 *Mr. Doyle. So ordered.

4365 [The Committee on Veterans Affairs report follows:]

4366

4367 *****COMMITTEE INSERT*****

4368

4369 *Miss Rice. Thank you. I bring up the report today
4370 because it is very -- deeply disturbing, the investment of
4371 our veterans and military service members in the violence
4372 that took place on January 6. It is estimated that 1 in 5
4373 people charged in connection with the attack have served or
4374 are currently serving in the U.S. military.

4375 It should come as no surprise to those testifying today
4376 that for years, nefarious actors have learned how to harness
4377 the algorithms on all of your platforms to introduce content
4378 to veterans and military service members that they did not
4379 actively seek out for themselves. Veterans and military
4380 service members are particularly targeted by malicious actors
4381 online in order to misappropriate their voices, authority,
4382 and credibility for the dissemination of political
4383 propaganda.

4384 We have to do better for those who have served our
4385 country. Mr. Zuckerberg, do you believe that veterans hold a
4386 special status in our communities and have military training,
4387 making them prime targets for domestic terrorists and our
4388 adversaries seeking to foment insurrection?

4389 *Mr. Zuckerberg. Congresswoman, I certainly believe
4390 that veterans hold a special place in our society. I haven't
4391 seen much research --

4392 *Miss Rice. Did you see on the National Mall and at the
4393 Capitol there were rioters who arrived in combat gear who

4394 were armed with tactical equipment? Did you see those
4395 images, yes or no?

4396 *Mr. Zuckerberg. Yes.

4397 *Miss Rice. Okay. Have you personally talked to the
4398 Iraq and Afghanistan Veterans of America, IAVA, about
4399 disinformation campaigns targeting veterans?

4400 *Mr. Zuckerberg. No, Congresswoman. I have not
4401 personally, although our team certainly is in contact with a
4402 number of these groups as we set up our policies.

4403 *Miss Rice. Have you talked to the Vietnam Veterans of
4404 America about disinformation campaigns targeting veterans?

4405 *Mr. Zuckerberg. Congresswoman, I can get back to you
4406 on whether our team has consulted with them specifically.
4407 But broadly, what our teams --

4408 *Miss Rice. Please do. Do you believe that veterans
4409 and military service members are just like other Americans in
4410 that they are susceptible to the impulses in human psychology
4411 that Facebook exploits to drive engagement? Do you believe
4412 that they are susceptible in that way? Yes or no?

4413 *Mr. Zuckerberg. Congressman, there is a lot in your
4414 characterization there that I disagree with.

4415 *Miss Rice. No, no. It is a question of do you think
4416 they are susceptible to that kind of information coming at
4417 them? Yes or no?

4418 *Mr. Zuckerberg. Congresswoman, I believe that --

4419 *Miss Rice. Okay. So given your answers, I am not
4420 convinced that you have the appropriate resources devoted to
4421 the problem of mitigating the real-world effects of content
4422 that is designed to mislead and radicalize your users,
4423 especially those who are veterans and military service
4424 members.

4425 Would you support legislation that would require you to
4426 create an Office of Veterans Affairs that reports to the CEO
4427 and works with outside veterans service organizations to
4428 ensure our enemies don't gain ground trying to radicalize our
4429 brave men and women who serve in our military? Would you
4430 support that legislation?

4431 *Mr. Zuckerberg. Congresswoman, I think the details
4432 matter a lot. So I would be happy to follow up with you or
4433 have our team follow up with your team to discuss this. But
4434 in general, I do think that --

4435 *Miss Rice. We will take you up on that,
4436 Mr. Zuckerberg. It is just a broad stroke: Do you believe
4437 that you could find your way to support legislation that
4438 would have as its goal the protection of our military active
4439 duty and veterans? In principle?

4440 *Mr. Zuckerberg. I think in principle, I think
4441 something like that could certainly make sense.

4442 *Miss Rice. So I wrote to you, Mr. Zuckerberg, last
4443 month requesting information about Facebook's efforts to curb

4444 disinformation campaigns that specifically targeted American
4445 service members and victims. I am just curious if you know
4446 how many public groups with the word "veteran" or public
4447 pages with the word "veteran" did you remove from your
4448 platform after January 6th in association with misinformation
4449 about the 2020 election or the attack on the Capitol?

4450 *Mr. Zuckerberg. Congresswoman, I don't know the answer
4451 off the top of my head, but I would be happy to get back to
4452 you with that.

4453 *Miss Rice. Thank you. We believe that you should be
4454 tracking that information. Your platform was in fact a crime
4455 scene after January 6, and we need that information and data
4456 to understand how the attack happened.

4457 I want to thank all three of you for coming here today
4458 and spending so much time with us. I yield back,
4459 Mr. Chairman. Thank you.

4460 *Mr. Doyle. The gentlelady yields back.

4461 The chair recognizes Mr. Armstrong for five minutes. Is
4462 Mr. Armstrong here? You need to unmute, Kelly.

4463 *Mr. Armstrong. All right. Sorry about that. Can you
4464 hear me?

4465 *Mr. Doyle. Yes. We can hear you.

4466 *Mr. Armstrong. All right. Thank you.

4467 No other industry receives such bipartisan scrutiny --
4468 disinformation, content moderation, de-platforming,

4469 antitrust, privacy, and the list continues to grow. We
4470 discuss these things too often in isolation, but they are all
4471 related, and it starts with the fact that your users aren't
4472 your customers. They are the product. More specifically,
4473 the data that you collect from your users is the product.

4474 You are incentivized to collect and monetize user data
4475 for behavior advertising. This results in the collection of
4476 even more user data. And data is unique as a business asset.
4477 It doesn't deplete. Data is perpetual and reinforcing. Data
4478 begets more data. Massive data collection expands your
4479 market share, which harms competition.

4480 That is why censorship is so concerning to all of us.
4481 Your platforms have a stranglehold on the flow of modern
4482 communication, and I think we absolutely have to resist the
4483 urge of content moderation and censorship. In 1927, Justice
4484 Brandeis wrote: "The remedy to apply is more speech, not
4485 enforced silence.'" I think that statement still holds true
4486 today.

4487 Yet your platforms don't simply silence certain speech.
4488 Your algorithms are designed to reinforce existing
4489 predispositions because you profit by keeping users locked
4490 into what they already enjoy. This leads to information
4491 siloes, misinformation, extremism on both sides, and even
4492 more data collection, which repeats the cycle.

4493 Mr. Pichai, you testified before the House Judiciary

4494 Committee last year, and at that hearing I raised several
4495 examples of Google's consolidation of the ad tech stack.
4496 Your answers large reiterated the privacy justifications,
4497 which I understand and support. However, my question was
4498 whether Google's consolidation of both the buy and sell sides
4499 of digital advertising would further harm competition.

4500 Since then I have reviewed Google's privacy sandbox and
4501 the FLoC proposal, which is an alternative group identifier
4502 to replace third party cookies. Again, I understand and I
4503 appreciate the privacy justification. But -- and this is my
4504 question -- how will these actions not further entrench
4505 Google's digital advertising market share and harm
4506 competition?

4507 *Mr. Pichai. Congressman, as you rightfully point out,
4508 privacy is really important and we are trying to get that
4509 correct. Users are giving clear feedback in terms of the
4510 direction they would like to take. Advertising allows us to
4511 provide services to many people who wouldn't otherwise be
4512 able to use services, and we are trying to provide relevant
4513 ads, protecting their privacy. And that is what FLoC is
4514 working on. We will --

4515 *Mr. Armstrong. I am going to move on because I
4516 understand the privacy -- I understand the privacy. And I
4517 understand the rationale of eliminating individual-level
4518 tracking in favor of cohorts and the potential privacy

4519 benefits of user data in CRO method device level.

4520 But this is still eliminating competitors' access to
4521 user data at a time when you already control 60 percent of
4522 the browser market. I have real concerns that FLoC will
4523 incentivize more first party data collection, which will not
4524 actually benefit user privacy; instead of spreading it
4525 amongst a lot of different companies, it will just all be
4526 with you. And so I guess my point is Congress needs to
4527 conduct careful oversight as the privacy sandbox and FLoC are
4528 introduced. And we need to ensure that the user privacy
4529 increases, and that competition is not stifled further.

4530 But I do have one question, and it is important. I am
4531 going to ask all three of you. When we are conducting
4532 competition analysis in the tech industry, should non-price
4533 factors like privacy be considered? And I will start with
4534 you, Mr. Pichai.

4535 *Mr. Pichai. I think so. I think privacy is very
4536 important, and we have called for comprehensive Federal
4537 privacy legislation. And to clarify, Google doesn't get any
4538 access to FLoC data. It is protected. And then we will
4539 publish more papers on it.

4540 *Mr. Armstrong. All right. And I understand
4541 completely. But you are forcing -- I mean, you are forcing
4542 advertisers into the ad stack. I mean, that is -- I don't
4543 discount it increases privacy. That is not -- I think this

4544 is a real problem because I think they are in conflict with
4545 each other.

4546 But Mr. Dorsey, do you think when we are conducting
4547 competition analysis in the tech industry, non-price factors
4548 should be considered?

4549 *Mr. Dorsey. Not sure exactly what you mean, but open
4550 to further discussion on it.

4551 *Mr. Armstrong. All right. How about you, Mr.
4552 Zuckerberg?

4553 *Mr. Zuckerberg. Yes, Congressman. My understanding is
4554 that the law already includes the quality of products in
4555 addition to price.

4556 *Mr. Armstrong. And I will just say I appreciate you
4557 talking about the difference between big platforms and small
4558 platforms because I think in our history of trying to
4559 regulate big companies, Congress has already done a really
4560 good job at harming the smaller companies worse.

4561 And with my last six seconds because this isn't the
4562 appropriate hearing, but I am going to ask, please all do a
4563 better job of making sure artists get paid for their work on
4564 your platforms. And with that, I yield back.

4565 *Mr. Doyle. The gentleman yields back.

4566 The chair recognizes Mr. Veasey for five minutes.

4567 *Mr. Veasey. Thank you, Mr. Chairman.

4568 It has often been said that lies travel faster than

4569 truth, and we have seen that play out with devastating
4570 consequences on social media platforms today. This concerns
4571 me greatly, not just as a father or a lawmaker but as someone
4572 ready to see the past divisions that have dominated our
4573 country for the past several years, and really decades,
4574 really.

4575 But it is hard to see how this can change when the CEOs
4576 of the largest social media platforms repeatedly say they
4577 will fix their ways, only to keep spreading harmful lies and
4578 misinformation. I want to give you an example.

4579 Last August here in the Dallas/Fort Worth area, the
4580 North Texas Poison Control Center felt the need to warn
4581 people against ingesting bleach or other disinfecting
4582 products as a cure to prevent COVID-19. Despite efforts
4583 of your companies to take down such harmful mis- or
4584 disinformation calls to the North Texas Poison Control Center
4585 about disinfectant, ingestion rates were much higher than
4586 usual, and statewide calls about bleach products were up over
4587 70 percent compared to the year before. The North Texas
4588 Poison Center pointed this out largely to misinformation
4589 online as the cause for these increases.

4590 And as we know, in the lead-up to the last elections,
4591 black communities were specifically targeted for
4592 disinformation campaigns designed to suppress the vote,
4593 especially in battleground states. And right now there are

4594 sites up that are discouraging black people from getting the
4595 COVID-19 vaccination. I know a lady that was put in Facebook
4596 jail for 30 days because all she did was repost one of the
4597 faulty posts saying black folks aren't falling for this
4598 business, and she was put in Facebook jail for 30 days.

4599 Now, even if these posts were eventually taken down or
4600 otherwise labeled as false, again lies travel a lot faster
4601 than truths. Your companies have been largely flat-footed
4602 when it comes to getting out ahead of these issues, and it is
4603 time for something to change.

4604 That is why I am exploring legislation that would
4605 establish an independent organization of researchers and
4606 computer scientists who could help by identifying and warn
4607 about misinformation trends before they become viral. This
4608 early warning system would help social media sites, the
4609 public, and law enforcement so that when dangerous
4610 conspiracies or disinformation is spreading, they can be on
4611 alert and hopefully slow its effect.

4612 Mr. Zuckerberg, would you support legislation that
4613 would alert all Facebook or Instagram users of harmful
4614 disinformation and conspiracy theories spreading across your
4615 platforms?

4616 *Mr. Zuckerberg. Congressman, I think we need to look
4617 into that in more detail to understand the nuances. But in
4618 general, I agree that it is our responsibility to build

4619 systems that can help slow the spread of this kind of
4620 misinformation. And that is why we have taken all the steps
4621 that I have outlined today, from building in an unprecedented
4622 independent fact-checking program to taking down content that
4623 could cause imminent physical harm to the work in the COVID
4624 Information Center and the Voting Information Center and the
4625 Climate Information Center to promote authoritative
4626 information across our services. So I certainly think that
4627 there is a lot to do here.

4628 *Mr. Armstrong. Mr. Dorsey, would you support
4629 legislation for an early warning system across Twitter?

4630 *Mr. Dorsey. I would be open to reviewing the details.
4631 I just don't think it will be effective. And it will be very
4632 much whack-a-mole. I think that the more important thing is
4633 to, as I said in my opening remarks, get much more of an open
4634 standard and protocol that have everyone can have access to
4635 and review.

4636 *Mr. Armstrong. And Mr. Pichai? For Google and YouTube
4637 and that? I have a 14-year-old at home that watches YouTube.
4638 What about you for those platforms?

4639 *Mr. Pichai. Already today in many of these areas, we
4640 show, proactively, information panels. So for example, on
4641 COVID, we have showed a lot of information from CDC and other
4642 experts, and we had views of over 400 billion. And so
4643 conceptually, showing proactive information, including

4644 information panes, I think makes sense to me.

4645 *Mr. Armstrong. Okay. Well, thank you. I appreciate
4646 the time, Mr. Chairman. I am worried. I think that we need
4647 to act quickly and that we are running out of time and that
4648 we need these companies to take affirmative action on
4649 addressing some of these issues.

4650 I yield back my time. Thank you.

4651 *Mr. Doyle. I thank the gentleman. The gentleman
4652 yields back.

4653 The chair now yields five minutes to Ms. Craig.

4654 *Ms. Craig. Thank you so much, Mr. Chair.

4655 Mr. Zuckerberg, thank you so much for joining us today.
4656 As co-chair of the LGBTQ Equality Caucus in the U.S.
4657 Congress, I would like to ask you a few questions about an
4658 incident that occurred several weeks ago now. And I would
4659 appreciate a simple yes or no answer. Most of these have
4660 absolutely no room for nuance. These aren't trick questions.
4661 I would just like to clarify a few facts.

4662 So on February 25th, Facebook took down a video hosted
4663 by my colleague, Representative Marie Newman, in which she
4664 places the transgender flag outside her office. Is that
4665 correct, to your knowledge? Yes or no?

4666 *Mr. Zuckerberg. Congresswoman, I am not aware of this.

4667 *Ms. Craig. You are not aware of this?

4668 *Mr. Zuckerberg. No.

4669 *Ms. Craig. Well, the answer is yes. Facebook took her
4670 video down. According to Representative Newman, the reason
4671 Facebook gave for taking down the video was that it violated
4672 Facebook's community standards on hate speech and
4673 inferiority. Does that seem right to you, that if someone
4674 put up a trans flag and took a video of it and posted it on
4675 your platform, that it should be put down?

4676 *Mr. Zuckerberg. Congresswoman, no. That doesn't seem
4677 right to me. But I would need to understand the specifics of
4678 the case in more details.

4679 *Ms. Craig. Yes. Thank you. The answer is no, it is
4680 absolutely not right.

4681 Meanwhile, across the hall, Representative Marjorie
4682 Taylor Greene from Georgia posted a video to Facebook. Her
4683 video showed her putting up a transphobic sign so that
4684 Representative Newman, the mother of a trans child, could
4685 "look at it every time she opens her door.'" Facebook
4686 allowed Representative Greene's video to remain online. Is
4687 that right? Yes or no?

4688 *Mr. Zuckerberg. Congresswoman, I am not aware of the
4689 specifics. But as I have said a number of times today, we do
4690 make mistakes, unfortunately, in our content moderation, and
4691 we hope to fix them as quickly as possible --

4692 *Ms. Craig. Reclaiming my time, reclaiming my time, the
4693 answer was yes, Representative Greene's video was allowed to

4694 remain online. Representative Newman reached out to
4695 Facebook, and a few hours later her video was restored with a
4696 perfunctory apology. But Representative Greene's video was
4697 never taken down. I am not even going to ask you if I am
4698 getting that right, as I was, because you obviously don't
4699 know.

4700 Are you aware that Facebook has repeatedly flagged the
4701 transgender flag as hate speech and that trans-positive
4702 content ends up being taken down while transphobic content,
4703 like Representative Greene's video, is not taken down and is
4704 often shared widely? Yes or no?

4705 *Mr. Zuckerberg. Congresswoman, I am now aware of that
4706 specifically, but this is an instance of a broader challenge
4707 in identifying hate speech, which is that there is often a
4708 very nuanced difference between someone saying something that
4709 is racist versus saying something to denounce something that
4710 someone else said that was racist.

4711 And we need to build systems that handle this content in
4712 more than 150 languages around the world, and we need to do
4713 it quickly. And unfortunately, there are some mistakes in
4714 trying to do this quickly and effectively.

4715 *Ms. Craig. Mr. Zuckerberg, I am going to give you your
4716 nuance this one time.

4717 As it exists today, do you think your company is going
4718 to get these content moderation decisions right on the first

4719 try eventually?

4720 *Mr. Zuckerberg. Congresswoman, if what you are asking
4721 is are we ever going to be perfect, the answer is no. I
4722 think that there will always be some mistakes, but I think we
4723 will get increasingly accurate over time. So for example, a
4724 few years back, we identified --

4725 *Ms. Craig. Mr. Zuckerberg, I only have a couple of
4726 minutes or one minutes left, so I am going to continue here.

4727 As has been mentioned repeatedly throughout today, we
4728 just don't have faith that your companies have the proper
4729 incentives to proactively contemplate and address basic human
4730 rights. With that in mind, would you support legislation
4731 requiring social media companies to have an Office of Civil
4732 Rights reporting to the CEO, and that would mean you would
4733 have to reconsider your corporate structure, including the
4734 civil rights and human rights of the trans community?

4735 *Mr. Zuckerberg. Congresswoman, we took the
4736 unprecedented step of hiring a VP of civil rights, and I
4737 think we are one of the only companies that has done
4738 something similar to what you are saying.

4739 *Ms. Craig. Well, I hope that you do better, then,
4740 because this example I am giving you was completely
4741 unacceptable. This panel has done something truly rare in
4742 Washington these days: It has united Democrats and
4743 Republicans. Your industry cannot be trusted to regulate

4744 itself.

4745 And with that, I yield back.

4746 *Mr. Doyle. The gentlelady yields back.

4747 The chair now recognizes Mrs. Trahan for five minutes.

4748 *Mrs. Trahan. Thank you, Mr. Chairman.

4749 I would like to turn the focus back to our children. My
4750 husband and I have five. Our oldest is 27, our youngest is
4751 6, and over the years I have noticed how technology has been
4752 increasingly designed to capture their attention. The more
4753 time my first-grader spends scrolling through an app, the
4754 less time she is playing outside or enjoying face-to-face
4755 interactions with us.

4756 Google and Facebook are not only doing a poor job of
4757 keeping our children under 13 off of YouTube and Instagram,
4758 as my colleagues have already mentioned today, but you are
4759 actively onboarding our children onto your ecosystems with
4760 apps like YouTube Kids, Facebook Messenger Kids, and now we
4761 are hearing Instagram for Kids. These applications introduce
4762 our children to social media far too early and include
4763 manipulative design features intended to keep them hooked.

4764 Mr. Pichai, when a child finishes a video on YouTube or
4765 YouTube Kids, does the next video automatically play by
4766 default? And I think this one is a yes or no.

4767 *Mr. Pichai. Sorry, I was muted. Congresswoman, I have
4768 children, too. I worry about the time they spend online, and

4769 I agree with you it is an important issue.

4770 *Mrs. Trahan. Yes.

4771 *Mr. Pichai. We design YouTube --

4772 *Mrs. Trahan. The autoplay function by default? That
4773 is a yes --

4774 *Mr. Pichai. On the main app, it is there, and for each
4775 video there is an easy on/off toggle. Users have preference
4776 to select --

4777 *Mrs. Trahan. But the default setting is yes. When a
4778 user who is predicted to be a teen is watching a YouTube
4779 video, are the number of likes displayed by default? Yes or
4780 no, please?

4781 *Mr. Pichai. On all videos, I think we do have --
4782 across all videos we have.

4783 *Mrs. Trahan. Right. And Mr. Zuckerberg, will the
4784 recently reported Instagram app for kids have endless scroll
4785 enabled? Yes or no?

4786 *Mr. Zuckerberg. Sorry. Congresswoman, we are not done
4787 finalizing what the app is going to be. I think we are still
4788 pretty early in designing this. But I just want to say
4789 that --

4790 *Mrs. Trahan. Are you not sure or are you not sharing
4791 features or -- and look, another feature of concern is the
4792 filter that adds an unnatural but perfect glow for my 10-
4793 year-old to apply to her face. Is that feature going to be

4794 part of Instagram for Kids?

4795 *Mr. Zuckerberg. Congresswoman, I don't know. I
4796 haven't discussed this with the team yet.

4797 *Mrs. Trahan. Well, look. Please expect my office and
4798 many others to follow up, given what we know about
4799 Instagram's impact on teen mental health. We are all very
4800 concerned about our younger children.

4801 And I just want to speak mother to father for a moment,
4802 fathers, because leading experts all acknowledge that social
4803 media sites pose risks to young people -- inappropriate
4804 content, over-sharing of personal information, cyberbullying,
4805 deceptive advertising -- the list goes on. And those risks
4806 are exacerbated with more time children spend in these apps.

4807 Mr. Pichai, you mentioned that you have children, and I
4808 have also read you limit their screen time. What do you say
4809 when one of your children doesn't want to put their phone
4810 down?

4811 *Mr. Pichai. Congresswoman, the struggle is the same,
4812 particularly through COVID. It has been hard to moderate it.
4813 And I do take advantage of the parental controls and the
4814 digital well-being tools. We can limit the time on their
4815 apps. And so we have prohibitions in place.

4816 *Mrs. Trahan. I don't mean to cut you off, Mr. Pichai.
4817 But the last thing overworked parents read right now,
4818 especially right now, are more complex to-dos, which is what

4819 parental controls are. They need child-centric design by
4820 default.

4821 Mr. Zuckerberg, I understand your children are younger.
4822 But when they start using social media, what will you say
4823 when they are craving their tablet over spending time face-
4824 to-face with you or with friends?

4825 *Mrs. Trahan. Well, congresswoman, we haven't gotten to
4826 that point yet. But we are designing all of these tools --
4827 we designed Messenger Kids that the parents are in control.
4828 I think we have proven that that can be a good and safe
4829 experience. And I think that was one of the things that made
4830 us think that we should consider doing this for Instagram as
4831 well, by having it so that we have a parent-controlled
4832 experience, and as you say, child-centric experience for
4833 people under the age of 13 --

4834 *Mrs. Trahan. I am going -- I am going to reclaim my
4835 time, only because. Connecting with others is one thing.
4836 Adding filters, no breaks for kids to take, and manipulating
4837 the design of these apps for our children is another. Look.
4838 This committee is ready to legislate to protect our children
4839 from your ambition.

4840 What we are having a hard time reconciling is that while
4841 you are publicly calling for regulation, which, by the way,
4842 comes off as incredibly decent and noble, you are plotting
4843 your next frontier of growth, which deviously targets our

4844 young children and which you all take great strides, with
4845 infinitely more resources, in protecting your own children.

4846 This playbook is familiar. As some of my colleagues
4847 have pointed out, it is the same tactic we saw from alcohol
4848 companies and big tobacco: Start 'em young and bank on them
4849 never leaving, or at least never being able to. But there
4850 are our children, and their health and well-being deserve to
4851 take priority over your profits.

4852 *Mr. Doyle. The gentlelady's time is expired.

4853 The chair now recognizes Mrs. Fletcher for five minutes.

4854 *Mrs. Fletcher. Thank you, Chairman Doyle. And thanks
4855 to you and Chairwoman Schakowsky and Ranking Members Latta
4856 and Bilirakis for holding this hearing today. I agree with
4857 my colleagues. There is a broad consensus on a range of
4858 issues, and I appreciate the discussion.

4859 As we have discussed extensively today, one of the big
4860 challenges of this rise of dangerous disinformation is that
4861 it denies us a basic set of sheet facts to enable and
4862 information debate like what we are having here today. And
4863 it is absolutely vital that we take charge and that we
4864 address this.

4865 What we have seen is that countries whose interests are
4866 not aligned with ours, extremist organizations and others,
4867 have used online social media platforms to engage and to
4868 amplify extremist content and disinformation, from the COVID-

4869 19 pandemic to the January 6 insurrection, both of which we
4870 have talked about extensively.

4871 We have seen that the real-world cost of this unchecked
4872 spread of disinformation is in lies. And like my colleagues,
4873 I worry that the structure of many social media companies,
4874 including those we have before us today, prioritize
4875 engagement, including engagement with provocative or
4876 extremist content over responsible corporate citizenship.

4877 So one of my greatest concerns regarding how extremist
4878 content and disinformation is allowed to spread on your
4879 platform is the lack of data transparency when it comes to
4880 independent analysis. Now, everyone has claimed they have an
4881 internal system, that it is about the systems, that you need
4882 good systems to remove and delete disinformation and
4883 extremist content.

4884 But we have no way to verify how effective those systems
4885 are. And that is a huge part of the challenge before us. I
4886 think we all would agree that we need data and information to
4887 make good policy and to write good legislation, which will be
4888 coming out of this committee.

4889 So that brings me to a follow-up on my colleague Miss
4890 Rice's questions about data. As she mentioned, and it is my
4891 understanding that all three of your platforms chose to
4892 remove content that was posted regarding the Capitol
4893 insurrection on January 6. And I think we can all understand

4894 some of the reasons for that. But as a result, it is
4895 unavailable to researchers and to Congress.

4896 So my question for each of you is: Will you commit to
4897 sharing the removed content with Congress to inform our
4898 information of the events of January 6 and also the issues
4899 before us today about how to respond to extremist and
4900 dangerous content online?

4901 And I will start with Mr. Zuckerberg.

4902 *Mr. Zuckerberg. Thanks, Congresswoman. When we take
4903 down content that might be connected to a crime, I think we
4904 do, as a standard practice, try to maintain that so that we
4905 can share it with law enforcement if necessary. And I am
4906 sure our team can follow up to discuss that with you as well.

4907 *Mr. Doyle. Sure. I appreciate that. And I understand
4908 that you have a legal obligation to cooperate with
4909 authorities and law enforcement in these cases. And I think
4910 that what I am talking about is also sharing it with us in
4911 Congress, and I appreciate your response there.

4912 Mr. Dorsey?

4913 *Mr. Dorsey. We would like to do this, actually. We
4914 have been thinking about a program for researchers to get
4915 access to actions that we had to take. But all of this is
4916 subject to local laws, of course.

4917 *Mrs. Fletcher. Well, and that may be something that we
4918 can help craft here. So I think that it is consistently

4919 something we have heard from researchers as well. It is a
4920 real area of challenge in not having the data. So I
4921 appreciate that.

4922 And Mr. Pichai? Do you also agree?

4923 *Mr. Pichai. Congresswoman, sorry, I was muted. We are
4924 working with law enforcement, and happy to connect with your
4925 office. And we cooperate as allowed by law while balancing
4926 the privacy of the people involved.

4927 *Mrs. Fletcher. Well, thank you. So I appreciate all
4928 of your willingness to work with us and to assist Congress in
4929 addressing this attack on our Capitol and our country.

4930 Another idea that I would like to touch base with you on
4931 in the time I have left, just over a minute. Is the
4932 difference we see in how your platforms handle foreign
4933 extremist content versus domestic content? By all accounts,
4934 your platforms do a better job of combating posts and
4935 information from foreign terrorist organizations, or FTOs,
4936 like ISIS or al-Qaeda and others, where the posts are
4937 automatically removed, depending on keywords and phrases, et
4938 cetera.

4939 The FTOs are designated by the State Department. There
4940 are rigorous criteria to identify groups that wish to cause
4941 harm to Americans. Currently there is no legal mechanism or
4942 definition for doing the same for domestic terror and hate
4943 groups.

4944 Would a federal standard for defining a domestic terror
4945 organization similar to FTOs help your platforms better track
4946 and remove harmful content from your sites? Mr. Zuckerberg?

4947 *Mr. Zuckerberg. Congresswoman, I am not sure. I think
4948 domestically we do classify a number of white supremacist
4949 organizations and militias and conspiracy networks like QAnon
4950 is the same level of problematic as some of these other
4951 organizations that are able to take decisive action.

4952 I think where the sense of being more complicated is
4953 where the content is --

4954 *Mrs. Fletcher. I hate to cut off, but I am going to
4955 run out of time. So your answer was, I am not sure. Could I
4956 just get a quick yes or no from Mr. Dorsey and Mr. Pichai?

4957 *Mr. Doyle. Yes, but very quickly because your time is
4958 expired. Very quickly.

4959 *Mr. Dorsey. We need to evaluate it. We need to
4960 understand what that means.

4961 *Mrs. Fletcher. Mr. Pichai?

4962 *Mr. Pichai. We as domestic agencies focus on that, I
4963 think we are happy to work and cooperate there.

4964 *Mr. Doyle. Okay. The gentlelady's time is expired.

4965 *Mrs. Fletcher. Well, thank you very much, Mr.
4966 Chairman. I yield back.

4967 *Mr. Doyle. It is my understanding we have -- let's
4968 see -- eight members who were requesting to waive on for the

4969 hearing. I believe we have given all members of the
4970 subcommittees their opportunity to speak. So we will now
4971 start to recognize the members waiving on. And first on the
4972 list here I see Mr. Burgess. Doc Burgess, are you with us?

4973 *Mr. Burgess. Yes. Sorry. I couldn't find my cursor.

4974 *Mr. Doyle. Okay. You are recognized for five minutes.

4975 *Mr. Burgess. Thank you, Mr. Chairman. And thanks to
4976 our witnesses for spending so much time with us. This is
4977 clearly a very important issue to every member of this
4978 committee regardless of which political party they identify
4979 with.

4980 I guess, Mr. Zuckerberg, let me just ask you a question
4981 because it strikes me, listening to your answers to both our
4982 colleague, Jeff Duncan, and our colleague, Angie Craig, both
4983 coming at the issue from different directions, but the
4984 concern is that there was the exercise of editorial authority
4985 over the postings that were made on your website. Is that a
4986 fair assessment?

4987 *Mr. Zuckerberg. Congressman, I am not sure what you
4988 mean. But I think content moderation and enforcing
4989 standards, I don't think that that is the same kind of
4990 editorial judgment that, for example, a newspaper makes when
4991 writing a post.

4992 *Mr. Burgess. Yes. But maybe it is because Mr. Duncan
4993 eloquently pointed out there was restriction of conservative

4994 speech. And our colleague, Angie Craig, eloquently pointed
4995 out how there was restriction of trans-affirming speech. So
4996 that strikes that me that we are getting awfully close to the
4997 line of exercising editorial discretion.

4998 And forgive me for thinking that way, but if that is --
4999 and I am sure I am not alone in this -- it does call into
5000 question, then, the immunity provided under Section 230.
5001 Maybe it is not a problem with law itself, Section 230; maybe
5002 the problem is that the mission has changed in your
5003 organization and other organizations.

5004 *Mr. Zuckerberg. Congressman, I am not sure what you
5005 mean. But we have clear standards against things like
5006 terrorist content, child exploitation, incitement of
5007 violence, intellectual property violations, pornography --
5008 things that I would imagine that you agree with. And we can
5009 enforce --

5010 *Mr. Burgess. All spelled out in the plain language of
5011 Section 230. But again, you are putting restrictions on
5012 conservative speech. Mr. Duncan eloquently pointed out how
5013 that is occurring. Angie Craig eloquently pointed out how
5014 you are putting restrictions on trans-affirming speech. None
5015 of those fall into any of the other categories that you are
5016 describing.

5017 Because to the casual observer, it appears that you are
5018 exercising editorial authority, and as such, maybe you should

5019 be regulated as a publisher as opposed to simply someone who
5020 is carrying -- who is indifferent to the content that they
5021 are carrying.

5022 *Mr. Zuckerberg. Congressman, I think one of the
5023 virtues of Section 230 is it allows companies to moderate
5024 things like bullying that are not always clearly illegal
5025 content but that I think you and I would probably agree are
5026 harmful and bad.

5027 So I think it is important that companies have the
5028 ability to go beyond what is legally required. I do not
5029 think that that makes these internet platforms the same thing
5030 as a news publisher who is literally writing the content
5031 themselves. I do think we have more responsibility than
5032 maybe a telephone network, where --

5033 *Mr. Burgess. Let me interrupt you in the interest of
5034 time because I want to pose the same question to Mr. Dorsey.

5035 Mr. Dorsey, every presidential tweet that I read
5036 following the election had an editorial disclaimer appended
5037 to it by you. How does that not make you someone who is
5038 exercising editorial discretion on the content that you are
5039 carrying?

5040 *Mr. Dorsey. Our goal with our labels was simply to
5041 provide connection to other data and provide context.

5042 *Mr. Burgess. Yes. But you don't do that routinely
5043 with other tweets. It seemed to be a singular assignment

5044 that someone had taken on, to look at whatever the President
5045 is publishing. We are going to put our own spin on that.
5046 And again, that strikes me as an editorial exercise.

5047 And the only reason I bring this up, and we are going to
5048 have these discussions, I recognize that smaller companies
5049 just starting out, the protection of Section 230 may be
5050 invaluable to them. But you all are no longer just starting
5051 out. You are established. You are mature companies. You
5052 exercise enormous control over the thought processes of not
5053 just an entire country but literally the entire world. You
5054 are exercising editorial discretion. I do think we need to
5055 revisit Section 230 in the terms of, have you now become
5056 actual publishers as opposed to simply carriers of
5057 information?

5058 Thank you, Mr. Chairman. I will yield back.

5059 *Mr. Doyle. The gentleman yields back.

5060 The chair recognizes Mr. Tonko for five minutes.

5061 *Mr. Tonko. Thank you, Mr. Chair. Thank you for
5062 allowing me to waive on.

5063 Gentlemen, thank you for being with us today. While
5064 there are many issues I would like to raise with you, my most
5065 pressing unresolved questions revolve around what I saw and
5066 experienced on January 6, when I had to dive for cover in the
5067 House gallery as violent insurrectionists attempted to break
5068 down the doors and take the chamber.

5069 The rioters who breached the Capitol building were
5070 propelled by at least one bully that the election had been
5071 stolen from former President Donald Trump. They reached this
5072 false and dangerous conclusion, yet somehow in massive
5073 numbers. Their assault was not disorganized or isolated, and
5074 it was not coincidence.

5075 So Mr. Zuckerberg, you and your colleagues have
5076 downplayed the role Facebook played in helping the rioters
5077 mobilize in January 6. In light of growing evidence that
5078 suggests otherwise, including the fact that Facebook was the
5079 most cited social media cite in charging documents the
5080 Department of Justice filed against insurrectionists, do you
5081 still deny that your platform was used as a significant
5082 megaphone for the lies that fueled the insurrection?

5083 *Mr. Zuckerberg. Congressman, to be clear, I think part
5084 of the reason why our services are very cited in the charging
5085 docs is because we worked closely with law enforcement to
5086 help identify the people who were there. So I don't view
5087 that that collaboration with law enforcement should be seen
5088 as a negative reflection on our services.

5089 And as I have said a number of times to today, there was
5090 content on our services from some of these folks. I think
5091 that that was problematic. But by and large, I also think
5092 that by putting in place policies banning QAnon, banning
5093 militias, banning other conspiracy networks, we generally

5094 made our services inhospitable to a lot of these folks. And
5095 that had the unfortunate consequence of having those folks
5096 not use Facebook and use other places as well.

5097 So there is certainly more for us to do. But I stand
5098 behind the work that we have done with law enforcement on
5099 this and the systems that we have in place.

5100 *Mr. Tonko. Thank you.

5101 Mr. Pichai, can you affirmatively state that YouTube did
5102 not recommend videos with Stop the Steal content, white
5103 supremacy content, and other hate and conspiracy content that
5104 was seen by rioters at the Capitol?

5105 *Mr. Pichai. Congressman, we had clear policies and we
5106 were vigorously enforcing this area. Just leading up to the
5107 election, we had removed hundreds of thousands of videos, and
5108 we had terminated 8,000 channels. And on the day of the
5109 riot, we were successfully able to take down inappropriate
5110 livestreams. We gave precedence to journalistic
5111 organizations covering the event. And that is the content we
5112 raised up on YouTube that day. And since then we have been
5113 cooperating with law enforcement as well.

5114 *Mr. Tonko. So you're indicating that you did not
5115 recommend videos with Stop the Steal?

5116 *Mr. Pichai. We were rigorously enforcing. We had
5117 clear policies around content that undermined election
5118 integrity. Once the States certified the election on

5119 December 8th, we introduced a "Sensitive Events" policy and
5120 we did take down videos which were violative. And so we have
5121 been monitoring it very closely.

5122 *Mr. Tonko. Thank you.

5123 And Mr. Dorsey, are you confident that the conspiracy
5124 theorists or other purveyors of electrical misinformation and
5125 Stop the Steal on Twitter were not recommending to others?

5126 *Mr. Dorsey. I can't say that I was confident, but I
5127 know we did work really hard to make sure that if we saw any
5128 amplification that went against the terms of service, which
5129 this would, we took an action immediately. We didn't have
5130 any up-front indication that this would happen, so we had to
5131 react to it quite quickly.

5132 *Mr. Tonko. All right. Thank you. And who and what
5133 content your platforms recommend have real-world
5134 consequences, and the riot caused five deaths and shook our
5135 democratic foundations. And I believe that your platforms
5136 are responsible for the content you promote, and look forward
5137 to working with my colleagues to determine how to hold you
5138 accountable.

5139 Mr. Pichai, Google and YouTube often slip under the
5140 radar as a source of disinformation. But in the last
5141 election, bad actors used ads on Google Search to scam people
5142 looking for voting information, and YouTube failed to remove
5143 videos that spread misinformation about the 2020 vote

5144 results.

5145 So Mr. Pichai, when journalists pointed out in November
5146 that election misinformation was rampant on Google's YouTube,
5147 the company said it was allowing discussions of election
5148 processes and results. A month later YouTube said it would
5149 remove new content alleging widespread voter fraud in the
5150 2020 election. Why did YouTube wait a month to take action
5151 on election misinformation?

5152 *Mr. Pichai. If I could clarify here, we were taking
5153 down videos leading up to the election. There is obviously a
5154 month from the date of election till there are due processes,
5155 co-challenges, and we waited till this -- we consulted with
5156 CISPA and Association of Secretaries of State. And on
5157 December 8, when the States certified the election, we
5158 started enforcing newer policies on December 9th.

5159 To be very clear, we were showing information from the
5160 Associated Press, and we were proactively showing information
5161 high up in our search results to give relevant information
5162 throughout this election cycle.

5163 *Mr. Doyle. The gentleman's time is expired.

5164 *Mr. Tonko. Thank you. Mr. Chair, I yield back.

5165 The chair recognizes Mr. McKinley for five minutes.

5166 *Mr. McKinley. Thank you, Mr. Chairman.

5167 And this panel, you all have to be exhausted after being
5168 grilled all day long like this. So my questions are to Mr.

5169 Zuckerberg.

5170 When you came before our committee in 2018, you
5171 acknowledged that Facebook had used what you just said,
5172 "clear standards," preventing the sale of illegal drugs on
5173 your site. But you were shown examples of active posts that
5174 traffickers were still using that platform unlawfully to sell
5175 prescription opioids. You did apologize and confirm that:
5176 "Social media companies needs to do a better job of policing
5177 these posts."

5178 Now, three years later it appears a shell game is
5179 emerging. Facebook seems to have cleaned up its act, but you
5180 are now allowing Instagram, one of your subsidies, to become
5181 the new vehicle. Even though Instagram has the same policies
5182 against the sale of illegal substances, you are still
5183 allowing bad actors to push pills on your site.

5184 It didn't take long for our staff to find numerous
5185 examples. For example, here is oxycodone that is being sold
5186 on your site. Here is Ritalin that is being sold on your
5187 site. Here is Xanax and Adderall that is being sold on your
5188 site. So these posts have -- they are not new. They have
5189 been active since last fall.

5190 If we can find posts this easily, shame on you for not
5191 finding them for yourself. Apparently you are not taking the
5192 warnings of Congress seriously. After drug manufacturers
5193 dumped millions of pills in our community, killing thousands,

5194 ravaging families, and destroying livelihoods, Congress
5195 responded by passing laws to hold them liable.

5196 If a retail store is selling cigarettes to underage
5197 kids, that store is held liable. So why shouldn't you be
5198 held liable as well? Do you think you are above the law?
5199 You are knowingly allowing this poison to be sold on your
5200 platform into our communities, to our children, to our
5201 vulnerable adults.

5202 Look. I have read Scott Galloway's book "The Four.'" I
5203 encourage all the members on this committee to read his book.
5204 It is a perfect depiction of the arrogance of Big Tech
5205 companies like Facebook, Google, Apple, and Amazon. He
5206 develops a very compelling argument as to why Big Tech
5207 companies should be broken into smaller companies, much like
5208 that occurred to AT&T in 1984.

5209 Maybe it is time for Congress to have an adult
5210 conversation about this loss of liability protection and the
5211 need to reform our antitrust laws. I don't think Congress
5212 wants to tell you how to run your company, but maybe it
5213 should.

5214 So Mr. Zuckerberg, let me close with this one question.
5215 Don't you think you would find a way to stop these illegal
5216 sales on your platforms if you were held personally liable?

5217 *Mr. Zuckerberg. I keep on getting muted. Congressman,
5218 we don't want any of this content on our platforms, and I

5219 agree with you that this is a huge issue. We have devoted a
5220 lot of resources and have built systems that are largely
5221 quite effective at finding and removing the content. But I
5222 just think that what we all need to understand is that at the
5223 scale that these communities operate, where people are
5224 sharing millions or, in messages, billions of things a day,
5225 it is inevitable that we will not find everything, just like
5226 a police force in a city will not stop every single crime.

5227 *Mr. McKinley. I agree.

5228 *Mr. Zuckerberg. So I think that we should --

5229 *Mr. McKinley. But I ask you the question very
5230 directly, Mark. Should you not be held liable when people
5231 are dying because your people are allowing these sales to
5232 take place? We did it with manufacturers. We do it to the
5233 stores. Why aren't we doing it to the salesman that allows
5234 this to take place?

5235 *Mr. Zuckerberg. Well, Congressman, I don't think we
5236 are allowing this to take place. We are building systems
5237 that take the vast majority of this content off our systems.
5238 And what I am saying --

5239 *Mr. McKinley. We have been dealing with this for three
5240 years, Mark. Three years this has been going on. And you
5241 said you were going to take care of it last time, but all you
5242 do is switch from Facebook over to Instagram. They are still
5243 doing it now. And you are saying, we need to do more.

5244 Well, how many more families are going to die? How many
5245 more children are going to be addicted by you still studying
5246 the problem? I think you need to be held liable.

5247 *Mr. Zuckerberg. Congressman, we are not sitting and
5248 studying the problem. We are building effective systems that
5249 work across both Facebook and Instagram. But what I am
5250 saying is that I don't think that we can expect that any
5251 platform will find every instance of harmful content. I
5252 think we should hold the platforms to be responsible for
5253 building generally effective systems at moderating these
5254 kinds of content.

5255 *Mr. Doyle. The gentleman's time is expired.

5256 *Mr. McKinley. I am not going to get an answer, Mike.
5257 Thank you.

5258 *Mr. Doyle. The gentleman yields back. The chair
5259 recognizes Ms. Blunt Rochester for five minutes.

5260 *Ms. Blunt Rochester. Thank you, Mr. Chairman, for
5261 allowing me to waive onto this important hearing. And thank
5262 you to the witnesses.

5263 I want to focus on two areas: first, a consumer
5264 protection and safety issue, and second, more broadly,
5265 manipulation and privacy of our data. On consumer protection
5266 and safety, earlier this year two infants from two different
5267 families ended up in the intensive care unit in Wilmington,
5268 Delaware after being fed homemade baby formula based on

5269 instructional videos viewed on YouTube.

5270 One infant suffered from cardiac arrest that resulted in
5271 brain damage. For years, the American Academy of Pediatrics
5272 has warned parents against homemade baby formulas because it
5273 puts infants at risk of serious illness and even death. And
5274 since at least 2018, the FDA has recommended against the use
5275 of homemade formula. Even as recent as 29 days ago, the FDA
5276 issued an advisory against homemade formula.

5277 In February, my office informed your team, Mr. Pichai,
5278 and as a follow-up I have sent a letter requesting
5279 information and action on this issue in the hopes of a
5280 response by April 1st. Mr. Pichai, this is just a yes or no
5281 question: Can I count on a response to my letter by the
5282 deadline of April 1st?

5283 *Mr. Pichai. Congresswoman, Definitely yes.
5284 Heartbreaking to hear the stories. We have clear policies.
5285 Thanks for your highlighting this. I think the videos have
5286 been taken down, and we are happy to follow up and update the
5287 team.

5288 *Ms. Blunt Rochester. We checked today. For years,
5289 these videos have clearly violated your own stated policy of
5290 banning the videos that endanger the, as you say, "physical
5291 well-being of minors.'" And so I am pleased to hear that we
5292 will be hearing back from you.

5293 And while we are considering Section 230, what is clear

5294 from this hearing is that we should all be concerned by all
5295 of your abilities to adequately -- and just as importantly,
5296 rapidly -- moderate content. In some of these cases, we are
5297 talking life and death.

5298 Second, as many of my colleagues have noted, your
5299 companies profit when users fall down the rabbit hole of
5300 disinformation. The spread of disinformation is an issue all
5301 of us grapple with from all across the political spectrum.
5302 Disinformation often finds its way to the people most
5303 susceptible to it because the profiles that you create
5304 through massive data collection suggest what they will be
5305 receptive to.

5306 I introduced the DETOUR Act to address common tactics
5307 that are used to get such personal data as possible. And
5308 these tactics are often called "dark patterns," and they are
5309 intentionally deceptive user interfaces that trick people
5310 into handing over their data.

5311 For the people at home, many of you may know this as
5312 when you go on an app, it doesn't allow you to have a no
5313 option, or it will insinuate that you need to do something
5314 else, install another program like Facebook Messenger app to
5315 get on Facebook.

5316 You all collect and use this information. Mr. Pichai,
5317 yes or no: Would you oppose legislation that banned the use
5318 of intentionally manipulative design techniques that trick

5319 users into giving up their personal information?

5320 *Mr. Pichai. We definitely are happy to have oversight
5321 on these areas and explain what to do.

5322 *Ms. Blunt Rochester. Thank you. I have to go to Mr.
5323 Dorsey. Mr. Dorsey, yes or no?

5324 *Mr. Dorsey. Open to it.

5325 *Ms. Blunt Rochester. Mr. Zuckerberg?

5326 *Mr. Zuckerberg. Congresswoman, I think the --

5327 *Ms. Blunt Rochester. Yes or no, please.

5328 *Mr. Zuckerberg. -- principle makes sense and the
5329 details matter.

5330 *Ms. Blunt Rochester. Okay. Mr. Zuckerberg, your
5331 company recently conducted this massive ad campaign on how
5332 far the internet has come in the last 25 years. Great ad.
5333 You end it with a statement: "We support updated internet
5334 regulations to address today's challenges.'" Unfortunately,
5335 the proposal that you direct your viewers to fails to address
5336 dark patterns, user manipulation, or deceptive design
5337 choices.

5338 Mr. Zuckerberg, will you commit now to include deceptive
5339 design choices as part of your platform for better internet
5340 regulations?

5341 *Mr. Zuckerberg. Congressman, I will think about it.
5342 My initial response is that I feel there are other areas that
5343 I think might be more urgently in need.

5344 *Ms. Blunt Rochester. That might be your -- if you say
5345 this is a desire of yours to address the issues that we face
5346 today, dark patterns goes back to 2010, this whole issue of
5347 deceptive practices. And I hope that you will look into it.

5348 I will say -- Mrs. Trahan and others have mentioned --
5349 she mentioned our children. Others have mentioned seniors,
5350 veterans, people of color, even our very democracy, is at
5351 stake here. We must act and assure you -- we will assure you
5352 we will act.

5353 Thank you so much, and Mr. Chairman, I yield back six
5354 seconds.

5355 *Mr. Doyle. I thank the gentlelady. The gentlelady
5356 yields back.

5357 And now the chair recognizes Mr. Griffith for five
5358 minutes.

5359 *Mr. Griffith. Thank you very much, Mr. Chair.

5360 According to new data from the National Center for
5361 Missing and Exploited Children, Siler Pythian found the vast
5362 majority of child exploitation reports from Big Tech sites.
5363 Facebook had the most, 20.3 million. Google was second with
5364 546,000 plus. Twitter had 65,000 plus. Put in perspective,
5365 MindGeek, the Canada-based parent company of major portion
5366 websites, had 13,229. Facebook claims 90 percent of the
5367 flagged incidents were duplicates. All right. Let's accept
5368 that. That still leaves over 2 million incidents --

5369 2 million incidents.

5370 Mr. Zuckerberg, yes or no, does Facebook have a problem
5371 with child exploitation on its platform?

5372 *Mr. Zuckerberg. Congressman, this is an area that we
5373 work on a lot. But the recent why those numbers are so high
5374 is because we are so proactive about trying to find this and
5375 send it to NCMEC and others who are doing good work in this
5376 area. We sent content and flags over to them quite
5377 liberally, whenever we think that we might see that something
5378 is at issue.

5379 And that is, I think, what the public should want us to
5380 do, not criticize us for sending over a large number of flags
5381 but should encourage the companies to do it.

5382 *Mr. Griffith. So you are admitting that you all have a
5383 problem and this is one way you are trying to work on it.

5384 Mr. Pichai, yes or no: Do you agree with Mr. Zuckerberg
5385 that you all have a problem? Are you there?

5386 *Mr. Pichai. Congressman, sorry, I was muted. This is
5387 an area which we invest very heavily. We have been praised
5388 by several authorities. We work proactively --

5389 *Mr. Griffith. So the answer is yes.

5390 Mr. Dorsey, yes or no: Do you agree?

5391 *Mr. Dorsey. If we see any problems, we try to resolve
5392 them as quickly as possible.

5393 *Mr. Griffith. But you do have problems, and that is

5394 why you are trying to resolve them. I get that. The problem
5395 is, when you are talking about millions of incidents, and we
5396 take 90 percent of them as duplicates from the Facebook data,
5397 that is millions of incidents that are happening where our
5398 children are being exploited with child pornography on you
5399 all's sites. We have got to do better.

5400 I think you all need, for everything that we have talked
5401 about today, an independent industry-wide review team like
5402 the electronic industry did with the Underwriters Laboratory
5403 nearly 150 years ago. I told you all that when you were here
5404 before. Nobody has done anything. I don't think it needs to
5405 be within your company. I think it needs to be outside.

5406 And on that vein, I would say to Google, special
5407 permission was given to Moonshot CVE to target ads against
5408 extremist keywords. Moonshot then directed thousands of
5409 individuals who searched for violent content to videos and
5410 posts of a convicted felon who espouses anti-law enforcement,
5411 anti-Semitic, and anarchist viewpoints.

5412 Mr. Pichai, are you aware of this problem?

5413 *Mr. Pichai. Congressman, I am not aware of the
5414 specific issue. Last year we blocked over 3.1 billion bad
5415 ads, 6,000 ads per minute. And so we enforce vigorously.
5416 But I am happy to look into this specific issue and follow up
5417 back with you.

5418 *Mr. Griffith. Well, here is what happened. You

5419 partnered with an outside group that didn't do their job.
5420 What are your standards when you partner with an outside
5421 group? What are your standards and what are your philosophy?
5422 Because they sent people who were already looking for
5423 violence to a convicted felon with anarchist and anti-Semitic
5424 views.

5425 *Mr. Pichai. There is no place for hate speech, and I
5426 am disappointed to hear of this. We will definitely look
5427 into it and follow up back with you.

5428 *Mr. Griffith. Well, and I appreciate that. I
5429 recognize that. But I have the same concerns that
5430 Mr. McKinley had. And you weren't here last time, but we
5431 heard these same kinds of things about how we are going to
5432 work on it and how we are going to get these problems
5433 resolved. And I forget when that hearing was, but a year or
5434 so ago.

5435 And yet we continue to have the same problems, where
5436 political candidates' information is being taken down because
5437 for some reason it is flagged; where conservatives and people
5438 on the left are being hit and taken down. And I agree with
5439 many of the sentiments on both side of the aisle that if you
5440 all aren't doing anything, and it appears that you are not
5441 moving fast enough, we have no choice in Congress but to take
5442 action.

5443 I don't want to. I would rather see you all do it, like

5444 the electric industry did with Underwriters Laboratory. But
5445 nobody is doing that. Nobody is coming up with a group that
5446 both sides of the aisle and the American families can feel
5447 comfortable with. And so we are going to have to take
5448 action, and it is probably going to be this year.

5449 I yield back.

5450 *Mr. Doyle. The gentleman yields back.

5451 The chair recognizes Ms. Schrier for five minutes.

5452 *Ms. Schrier. Thank you, Mr. Chair.

5453 I am a pediatrician, and I have spent my life calming
5454 patients who are nervous about vaccines because of online
5455 misinformation. In fact, that is why I introduced a Vaccines
5456 Act when I was a new Member of Congress. Did you know that
5457 there are doctors who, after spending their entire day on the
5458 front line fighting this virus, come home at night and spend
5459 their scarce free time and family time fighting
5460 misinformation about vaccines online? And this
5461 misinformation, of course, comes primarily from Facebook and
5462 Twitter.

5463 So the question is: Why do they do that? Well, they do
5464 it because of things like this that happened after I
5465 introduced the Vaccines Act. Here are some overt threats:

5466 "Keep shoving this vaccine monitor down people's throats
5467 and expect riots."

5468 "Be careful. You will answer for this tyranny one

5469 day.'

5470 "She needs to just disappear. Can we vote her out of
5471 office? I am enraged over these poison pushers.'

5472 "We have weapons and are trained to fight off possible
5473 forced vaccinations. I will die protecting my family.'

5474 And then there is just the misinformation.

5475 "It says 'safe and effective' many times, yet no vaccine
5476 has been studied in a double-blind study.' False.

5477 "Who is going to take this vaccine? I heard rumors that
5478 it changes a person's DNA.' False.

5479 "You do not give' -- excuse my language -- "You do not
5480 give a shit about the health and welfare of our children.
5481 This horrid vaccine has already killed 600 people. You are
5482 deplorable.' And of course that again is false.

5483 So while the overt threats are unsettling, particularly
5484 after January 6, I think about this whole ecosystem, your
5485 ecosystem, that directs a hostile sliver of society, en
5486 masse, to my official Facebook page. And these are not my
5487 constituents. In fact, most came from two specific groups
5488 that directed their members to my page.

5489 Mr. Zuckerberg, I have some questions for you. I know
5490 you understand these issues are important, and sometimes
5491 misinformation can be very hard to spot. Would you agree?

5492 *Mr. Zuckerberg. Congresswoman, I agree with both of
5493 those. This is important and the enforcement processes can

5494 be difficult.

5495 *Ms. Schrier. Thank you. And I heard your answer
5496 earlier to Representative Upton's question, that there are
5497 35,000 people doing content review of posts that have been
5498 flagged by users and AI. Can you tell me what "content
5499 review" means and how many of those 35,000 are dedicated to
5500 topics regarding health?

5501 *Mr. Zuckerberg. Congresswoman, yes. What the people
5502 are doing overall is content gets flagged, either by the AI
5503 systems or by another person in the community. And if the AI
5504 can't by itself determine that something either violates or
5505 doesn't, then it gets flagged for human review and human
5506 judgment. And the 35,000 people go through all those
5507 different queues, focused on all the different kinds of harms
5508 that we have discussed today.

5509 I don't have the number off the top of my head about how
5510 many of them are focused on vaccine misinformation. But as
5511 you know, we have a policy that doesn't allow vaccine
5512 misinformation, and we work with the WHO and CDC to take down
5513 false claims around COVID, and the vaccines around that, that
5514 that could cause harm.

5515 *Ms. Schrier. That is where it really gets tricky,
5516 because you have to have experts and healthcare professionals
5517 who really understand. Are your people trained in healthcare
5518 to really even be able to discern what is real, what is fake,

5519 and what to take down?

5520 *Mr. Zuckerberg. Congresswoman, the people who set the
5521 policies either are experts in these areas or engage in a
5522 consultative process where they talk to a lot of these
5523 different folks. In this case, we largely defer to the CDC
5524 and WHO on which claims they think are going to be harmful.
5525 And then we try to break that down into kind of very simple
5526 protocols that the 35,000 people can follow and that we can
5527 build into AI systems to go find as much of that content
5528 proactively as possible without requiring all those people to
5529 be medical experts.

5530 *Ms. Schrier. So with my short time remaining, I would
5531 love to jump to that part about the CDC because I want to
5532 turn my attention to the COVID resource center that you
5533 describe as a central part of your efforts to fight
5534 misinformation, directed over 2 billion people to the COVID-
5535 19 information center.

5536 But on the information page, almost all of the content
5537 links to additional Facebook pages. It looks to me like an
5538 extension of Facebook's walled garden that just keeps users
5539 on the site instead of leading directly to authoritative,
5540 trusted sources like the CDC.

5541 So knowing that your platform is a large source of
5542 misinformation, did you consider just referring people
5543 directly to sites like the CDC rather than keeping them

5544 within your platform?

5545 *Mr. Zuckerberg. Congresswoman, I think we have
5546 considered both, and I think we have done both in different
5547 cases. The team is very focused on building this in the way
5548 that is going to be most effective at getting people to
5549 actually see the content, and I believe that they healthcare
5550 concluded that showing content from people within a person's
5551 community that they are going to trust on the service is one
5552 of the most effective things that we can do.

5553 *Mr. Doyle. The gentlelady's time is expired.

5554 *Ms. Schrier. Thank you. I yield back.

5555 *Mr. Doyle. The chair now recognizes Mr. Crenshaw for
5556 five minutes.

5557 *Mr. Crenshaw. Thank you, Mr. Chairman. Thank you all
5558 for being here. It has been a long one.

5559 I have been on some social media longer than anyone in
5560 Congress, I think; I was one of the first schools to have
5561 Facebook back in 2004. And it seemed to me that the goal of
5562 social media was simply to connect people.

5563 Now, the reason we are here today is because, over time,
5564 the role of social media has expanded in an extraordinary
5565 way. Your power to sway opinions and control narratives is
5566 far greater than the U.S. Government's power ever has been.

5567 So I noticed a trend today. There is a growing desire
5568 from many of my colleagues to make you the arbiters of truth.

5569 See, they know you have this power and they want to direct
5570 that power for their own political gain. Mr. Zuckerberg,
5571 since Facebook was my first love, I am going to direct
5572 questions at you. And this isn't a trick question, I
5573 promise.

5574 Do you believe in the spirit of the First Amendment --
5575 free speech, robust debate, basically liberal values?

5576 *Mr. Zuckerberg. Yes, absolutely.

5577 *Mr. Crenshaw. See, my colleagues can't infringe on the
5578 First Amendment. The American people in their speech are
5579 protected from government, as they should be. My colleagues,
5580 this administration, they can't silence pump they disagree
5581 with no matter how much they want to.

5582 But I do think they want to. Just in this hearing, I
5583 have heard Democrats complain about misinformation, by which
5584 they clearly mean political speech they disagree with. They
5585 have complained today that Prager University content is still
5586 up. I have heard them accuse conservative veterans of being
5587 tinfoil hat-wearing extremists, and that opinions on climate
5588 change that they disagree with should be taken down.

5589 This is quite different from the Republican complaint
5590 that illegal content needs to be addressed. There is a
5591 growing number of people in this country that don't believe
5592 in the liberal values of free speech and free debate. I
5593 promise you, the death of the First Amendment will come when

5594 the culture no longer believes in it. But that happens and
5595 it becomes okay to jail or investigate citizens for speech,
5596 like has happened in Canada and throughout Europe. Their
5597 culture turned against free speech.

5598 You all sitting here today as witnesses are part of the
5599 culture. You can stand up for the spirit of open debate and
5600 free speech, or you can be the enemy of it. Your stance is
5601 important because it is clear that many want to weaponize
5602 your platforms to get you to do their bidding for them.

5603 Mr. Zuckerberg, do you think it is your place to be the
5604 judge of what is true when it comes to political opinions?

5605 *Mr. Zuckerberg. Congressman, no. I don't believe that
5606 we should be the arbiter of truth.

5607 *Mr. Crenshaw. Thank you. And look. I promise you
5608 this: As long as you resist these increasing calls from
5609 politicians to do their political bidding for them, I will
5610 have your back. When you don't, you become an enemy of
5611 liberty and longstanding American tradition.

5612 You might all agree in principle with what I just
5613 said -- Mr. Zuckerberg, you clearly do, and I appreciate it;
5614 I have a feeling the others would answer it as well, I just
5615 don't have time to ask everybody -- but the fact remains that
5616 community standards on social media platforms are perceived
5617 to be applied unequally and with blatant bias.

5618 Mr. Dorsey, in just one example, I saw a video from

5619 Project Veritas that was taken down because they confronted a
5620 Facebook executive on his front lawn. But here is the thing:
5621 I can show you a video of CNN doing the exact same thing to
5622 an old woman who was a Trump supporter in her front yard. I
5623 have looked at both videos. It is an apples to apples
5624 comparison. CNN remains up; Project Veritas was taken down.

5625 I will give you a chance to respond to that. I have a
5626 feeling you are going to tell me you have to look into it.

5627 *Mr. Dorsey. I don't have an understanding of the case,
5628 but I would imagine, if we were to take a video like that
5629 down, it would be due to a doxxing concern, private address.

5630 *Mr. Crenshaw. The address was blurred out. Look, you
5631 don't have it and you don't have the case in front of you. I
5632 get that. The point is that there are countless examples
5633 like this. I just found that one today. But there are
5634 countless examples like this.

5635 So even if we agree in principle on everything I just
5636 went over, you guys have lost trust. And you have lost trust
5637 because this bias is seeping through. And we need more
5638 transparency. We need a better appeals process, more
5639 equitable application of your community guidelines, because
5640 we have to root out political bias in these platforms.

5641 I think -- and I have talked with a lot of you offline
5642 or at least your staff, and I think there is some agreement
5643 there. And I haven't heard, in this hearing, anybody ask you

5644 what you're doing to achieve these goals. So I will allow
5645 you to do that now. Maybe, Mr. Zuckerberg, we will start
5646 with you.

5647 *Mr. Zuckerberg. Sorry. To achieve which goals?

5648 *Mr. Dorsey. More transparency, more feeling that --
5649 better appeals process for content taken down, more equitable
5650 application of community guidelines.

5651 *Mr. Zuckerberg. So for transparency, we issue
5652 quarterly community standards enforcement reports on what
5653 prevalence of harmful content of each category, from
5654 terrorism to incitement of violence to child exploitation,
5655 all the things that we have talked about, how much of it
5656 there is and how effective we are at finding that, and states
5657 around that.

5658 For appeals, the biggest thing that we have done is set
5659 up this independent oversight board, which is staffed with
5660 people who all have a strong commitment to free expression,
5661 for whom people in our community can ultimately appeal to
5662 them and that group will make a binding decision, including
5663 overturning several of the things that we have taken down and
5664 telling us that we have to put them back up, and then we
5665 respect that.

5666 *Mr. Doyle. The gentleman's time is expired.

5667 The chair now recognizes --

5668 *Mr. Crenshaw. I yield back seconds.

5669 *Mr. Doyle. -- last but not least, my fellow
5670 Pennsylvanian, Mr. Joyce. You are recognized for five
5671 minutes.

5672 *Mr. Joyce. Thank you for yielding. And thank you,
5673 Mr. Chairman and the ranking members, for convening this
5674 hearing. I thank you all. It has been a long day.

5675 But this is an incredibly important day. We have heard
5676 consistently during this hearing about alarming accounts of
5677 content policing, censorship, and even permanent de-
5678 platforming of individuals. I have also been concerned about
5679 the lack of transparency and consistency in Facebook's
5680 application, of Facebook's own standards.

5681 As you mentioned, I am a representative from
5682 Pennsylvania, and in my district, Facebook shut down the
5683 personal pages of Walt Tuchalski and Charlotte Shaffer, as
5684 well as the Adams County Republican Committee Facebook page
5685 that they administered in historic Gettysburg, Pennsylvania.
5686 And this all occurred without warning.

5687 Since the pages were taken down in December, these
5688 Pennsylvania haven't received an acceptable answer from
5689 Facebook about why they were banned, nor have they been given
5690 the opportunity to appeal this decision.

5691 Mr. Zuckerberg, could you please explain how something
5692 like this could happen?

5693 *Mr. Zuckerberg. Congressman, I am not familiar with

5694 those specific details. But in general, I agree that
5695 building out a better appeals process and better and more
5696 transparent communication to people about why specific
5697 decisions were made is one of the most important things that
5698 we need to do next. And that is one of the big things on our
5699 roadmap for this year and next year, and I hope we can
5700 dramatically improve those experiences.

5701 *Mr. Joyce. Mr. Zuckerberg, may I get from you a
5702 commitment that a more concise and transparent appeals
5703 process will be developed?

5704 *Mr. Zuckerberg. Congressman, yes. We are working on
5705 more transparent communication to people and more of an
5706 appeals process as part of our product now, like I just said.

5707 *Mr. Joyce. And will you commit to getting my
5708 constituents answers as to why they were banned?

5709 *Mr. Zuckerberg. Congressman, I can certainly have my
5710 team follow up with them and make sure that we can do that.

5711 *Mr. Joyce. Thank you for that.

5712 I am also concerned by potential partisan bias in
5713 Facebook's enforcement of its content policies. Shut down
5714 the Adams County Republican Committee Facebook page strikes
5715 me as an infringement on speech, and that is normally
5716 protected in the public domain.

5717 Mr. Zuckerberg, does Facebook maintain data on how many
5718 Democrat and Republican county committee pages that you have

5719 banned from your platform?

5720 *Mr. Zuckerberg. No, Congressman, we don't. We don't
5721 generally keep any data on whether the people who use our
5722 platform are Democrats or Republicans. So it is hard for
5723 us --

5724 *Mr. Joyce. Then let me -- time is running short here,
5725 and it is a long day. But Mr. Zuckerberg, you say you have
5726 not maintained that data. Would you consider gathering such
5727 data to verify that there is no political bias in your
5728 enforcement algorithms?

5729 *Mr. Zuckerberg. Congressman, I am not sure that that
5730 is a great idea. I don't know that most people would want us
5731 to collect data on whether they are a Democrat or a
5732 Republican and have that be a part of our overall system.

5733 *Mr. Joyce. I think there is a huge disparity, as I
5734 represent Pennsylvania. And I think that that data would be
5735 appreciated if shared with us in a fair manner.

5736 My next question is to Mr. Dorsey. Does Twitter
5737 maintain data on the political affiliations of accounts that
5738 you block?

5739 *Mr. Dorsey. No.

5740 *Mr. Joyce. Have you determined that any political is
5741 necessary for your enforcement?

5742 *Mr. Dorsey. I'm not sure what you mean, but no.

5743 *Mr. Joyce. I think that these discussions today are so

5744 important. I think that you all recognize that the platforms
5745 that you represent have developed an incredible ability for
5746 Americans to connect and contact. But this free speech that
5747 we hold so dear to us must be maintained.

5748 Again, I thank the chairman, I thank the ranking member
5749 for bringing us together and allowing us to present what I
5750 feel are sincere concerns to you. Thank you, Mr. Chairman,
5751 and I yield.

5752 *Mr. Doyle. I thank the gentleman. The gentleman
5753 yields back.

5754 Everyone who wanted to ask a question has asked one.
5755 And I want to thank all of you for your patience today. I
5756 request unanimous consent to enter the following records
5757 testimony and other information into the record:

5758 A letter from Asian Americans advancing justice.

5759 A letter from the Leadership Conference on Civil and
5760 Human Rights.

5761 A letter from New Americas Open Technology Institute.

5762 A letter from New York Small Pharma, Limited.

5763 A statement from the Alphabet Workers Union.

5764 Letters from National Blackjacks Justice Coalition.

5765 A letter from Sikhs for Justice.

5766 A letter from State AGs.

5767 A letter from the Computer and Communications Industry
5768 Association.

5769 A letter from AVAAZ.

5770 Opening statement from Anna Eshoo.

5771 A blog from Neil Fried of DigitalFrontiers Advocacy.

5772 A letter from the music community.

5773 A letter from the Disinfo Defense League.

5774 A letter from Consumer Reports.

5775 A report from the Center for Countering Digital Hate

5776 called "The Disinformation Dozen."'

5777 A letter from the Coalition for a Secure and Transparent

5778 Internet.

5779 A letter from the Sikh American Legal Defense and

5780 Education Fund.

5781 A letter from Gun Violence Survivors.

5782 Faces of tech-harmed Congress.

5783 Letter to YouTube from Rep. Eshoo.

5784 Letter to Facebook from Rep. Eshoo.

5785 Letter to Twitter from Rep. Eshoo.

5786 A longitudinal analysis of YouTube's promotion of

5787 conspiracy videos.

5788 A letter from the Alliance for Safe Online Pharmacies.

5789 A CCIA statement.

5790 A comment by Donovan, et al. from the Technology and

5791 Social Change team.

5792 A Wall Street Journal article titled, "Facebook

5793 Executives Shut Down Efforts to Make Site Less Divisive.''

5794 A Voice of America article titled, "FBI: Surge in
5795 Internet Crime Cost Americans \$4.2 Billion.''
5796 A Global Research Project report.
5797 An opinion article titled, "Google Is Not Cracking down
5798 on the Most Dangerous Drug in America.''
5799 An MIT Technology Review article titled, "How Facebook
5800 Got Addicted to Spreading Misinformation.''
5801 An article from the Independent.
5802 An article from the New Yorker.
5803 A letter from the Coalition of Safer Web.
5804 A New York Times article titled, "Tech Companies Detect
5805 a Surge in Online Videos of Child Sex Abuse.''
5806 An MIT Review article titled, "Thank You for Posting:
5807 Smokers Lessons for Regulating Smug Social Media.''
5808 An article from Imprimis.
5809 An article from The Atlantic.
5810 An New York Times article titled, "Square, Jack Dorsey's
5811 Pay Service, Is Withholding Money Merchants Say They Need.''
5812 A response letter from Twitter to Rep. Rodgers.
5813 A response letter from Google to Rep. Rogers.
5814 A response letter from Facebook to Rep. Rodgers.
5815 An article from Engadget.
5816 A letter regarding Spanish Language Misinformation.
5817 Data from the Centers for Disease Control: "The
5818 National Survey on Drug Use and Health.''

5819 And Mercado, Holland, Leemis, Stone, and Wang regarding
5820 Teen Mental Health.

5821 A report from the House Committee on Veterans Affairs.

5822 Without objection, so ordered.

5823 [The information listed above follows:]

5824

5825 *****COMMITTEE INSERT*****

5826

5827 *Mr. Doyle. I want to thank our witnesses today for
5828 appearing. We appreciate it. We appreciate your patience
5829 while you answered these questions from all members. I hope
5830 you can take away from this hearing how serious we are on
5831 both side of the aisle to see many of these issues that
5832 trouble Americans addressed. But thank you for being here
5833 today.

5834 I want to remind all members that pursuant to Committee
5835 Rules, they have 10 business days to submit additional
5836 questions for the record to be answered by the witnesses who
5837 have appeared. And I would ask each witness to respond
5838 promptly to any questions that you may receive.

5839 At this time, this hearing is adjourned.

5840 *Ms. Schakowsky. Mr. Chairman?

5841 *Mr. Doyle. Yes?

5842 *Ms. Schakowsky. Jane Schakowsky here.

5843 *Mr. Doyle. Yes. You are recognized.

5844 *Ms. Schakowsky. Thank you. As chair of the Consumer
5845 Protection and Commerce Subcommittee, I just want to say that
5846 I was glad to be really a co-chair of this. I think you did
5847 a great job, Mike, in making this happen. It is 5 and a half
5848 hours. I want to thank the witnesses for doing your best to
5849 answer the questions, or at least being willing to be here to
5850 hear all the questions. You can see there is a lot of
5851 concern.

5852 We want to work with you and we want to work with each
5853 other in order to move ahead. AS I said at the very
5854 beginning, if you take one thing away from this hearing
5855 today, is that these democratically elected members are ready
5856 to act, are ready to legislate, are ready to regulate in your
5857 arena. And we are hoping that we can work with you as well.
5858 So thank you, Mike, and I yield back.
5859 *Mr. Doyle. Thank you, Jan. This hearing is adjourned.
5860 [Whereupon, at 5:32 p.m., the subcommittees were
5861 adjourned.]